Kerry in a landslide?

Washington MONTHLY

Why the dominoes aren't falling

By Gen. Wesley Clark

y 2004 $4.50

Fred Kaplan on how Bush let Kim Jong-il get nukes • Bush's secret stash • Why Gen Y nerds play poker • Reviews by Adam Clymer, Ron Rapoport, and Peter Bergen

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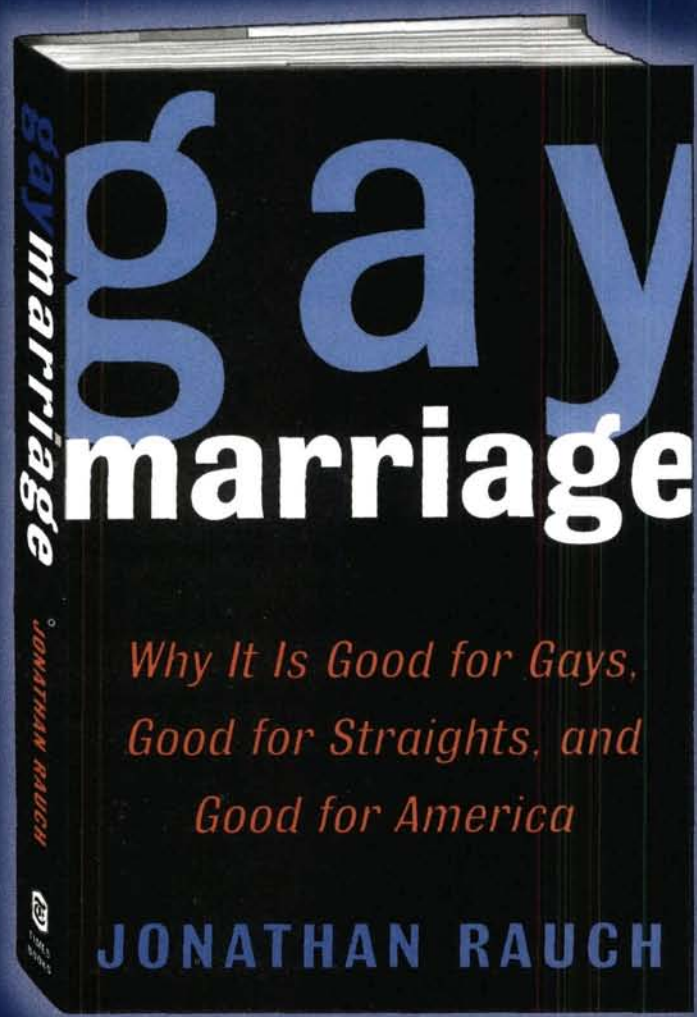
"A defining argument in the struggle over same-sex marriage."
—BARBARA DAFOE WHITEHEAD



"In few books about matrimony will you read descriptions that so powerfully evoke the married state as a blessing for human beings. It is the yearning of the exile, the hunger of the disenfranchised."
—ANNA QUINDLEN, *NEWSWEEK*

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"Talk about perfect timing.... The argument about whether legal recognition of same-sex marriages is sound social policy has come to a rolling boil."
—GEORGE F. WILL

"Rauch's articulation of the logical case for allowing same-sex couples to marry illustrates why so many of its opponents have decided to abandon logic in making their arguments."
—BARNEY FRANK

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Washington MONTHLY

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May 2004

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Letters

Generation gap

I agree generally with Phil Longman's remarks on the need to help parents raise the next generation ("Raising Hell," March). As he writes, "Elected officials love to talk about 'family values' but shy away from proposing anything big or new that would actually help parents juggle the tasks of earning a living and raising a family. The only explanation seems to be that most voters—probably even most parents—don't think that those who nurture the next generation are unfairly burdened."

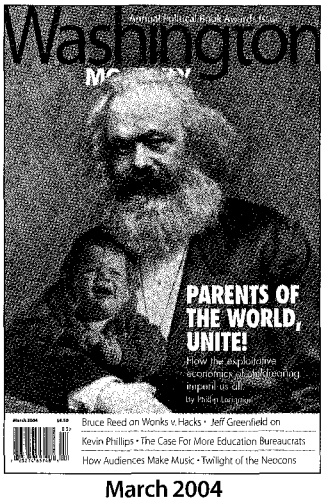
However, I am concerned that his proposed solution would lead to an increase in population. In my judgment we already have more people in this country than our resources can accommodate. Therefore, we need to address those concerns about too many seniors and too few young in ways other than by increasing the nation's birth rate.

Lyle E. Nelson
Starkville, Mass.

Phil Longman responds: For many people, a world with fewer human beings seems like a better world. Others find the prospect of zero population growth pleasing. But it is important to remember that birthrates at or below replacement levels won't return us to the less crowded world of yesteryear, or preserve today's population structure. Instead, they will produce a world without precedent in which there is explosive growth in the number of dependent elders even as there are fewer and fewer younger people available to support them.

Failing reform

"Hire Ed" (by Marc S. Tucker and Thomas Toch, March) is not only informational, insightful, unbiased, and brilliant, but it's also the first story I've seen in the mass media that directly touches upon the topic of the need for, and the shortage of, good psychometricians.



March 2004

Given the general media bias against testing, I believe that the negative public image is in part responsible for the lack of applicants in my field (along with the high stress and low pay that accompany most DOE jobs).

Kimberly Swygert
via email

"Hire Ed" is one of the few intelligent analyses of NCLB, and you are to be congratulated for putting it together. The first recommendation in the article, however, is way off base. At this point in time, states should be rewarded for keeping low standards. Keeping the number of failing schools small will allow states to improve them and help students. States with huge numbers of failing schools will be unable to bring real reform.

High standards will always be popular, but states cannot label schools as failing unless the states are prepared to help those schools. As you describe in your article, the states are not close to being prepared to help out hundreds of schools.

David Reinstein
Buffalo Grove, Ill.

"States cannot label schools as failing unless the states are prepared to help those schools. As you describe in your article, the states are not close to being prepared to help out hundreds of schools."
—David Reinstein

Honk if you love wonks

Bruce Reed's brilliant piece ("Bush's War Against Wonks," March) on the lack of a policy apparatus in the Bush White House manages to be hilarious and terrifying all at once. I've long considered Reed to be the ultimate barometer on White House policy function and integrity, which makes his piece even scarier. Our republic being run entirely by people who can't tell the difference between a political agenda and actual governing? Breathtaking.

Jill Kuraitis
Boise, Id.

Islam and modernity

I have read Grenville Byford's article ("Meanwhile in Ankara," March) with interest since I am a Turkish citizen residing in the United States. It is not often that I come across a knowledgeable scholar such as him when it comes to a balanced comparative view of the big three faiths of the world.

Byford is very much on the mark in his rendering of the evolution of Christianity and Judaism vis-a-vis "modernity." His analysis of Islam and its evolution that did not quite happen is, however, deficient as compared to that of the Judeo-Christian faith system. I would agree with him that Mutezile was the progressive movement with the greatest potential but was cut off from the mainstream. His suggestion that the Wahabi movement was innovative (and seemingly progressive) is, on the other hand, far-fetched at best. One has to try very hard

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to find a shred of a progressive element in this sect. Fortunately, he mentions the part about the killing, i.e. the perverted charter of killing the non-believers. This by itself is lunacy and I just can't imagine that any intellectual good come out of it. It is, in fact, the basis of the so-called "Muslim terrorism" today. What's interesting is, though, how this curious little sect and its primitive mindset came to rule a big swath of the Arabian peninsula and its vast oil resources!

Remember the British hero Lawrence of Arabia? What was glorified as the independence war of the Arab nation in the famous movie was nothing more than the installation of the most backward minds into the command of one of the most unfortunate peoples of the world, not to mention the oil that they really were after. Thus was born Saudi Arabia. Give a century to this medieval-minded kingdom and it ends up being the home of the most vilified criminal of the 21st century: bin Laden. Britain is then the midwife of the sea of religious backwardness now called the Middle East and the inevitable violence that emanates from it. The United States has unfortunately followed in the footsteps of Britain in this part of the world and made the matters much worse in the second half of the century by introducing the Green Belt doctrine during the Cold War, which ignored Saudi missionary activity and created guerrilla hotbeds such as Afghanistan, albeit against the Soviets.

Mustafa Altintas
San Jose, Calif.

Imperial fallacy

On a planet where any country can acquire dirty bombs and WMDs, the operative words in diplomatic circles must be consensus and mutual empowerment ("Twilight of the Neocons" by Stefan Halper and Jonathan Clarke, March). This is not as paradoxical as it sounds. A secure nation, much like a secure individual, has no need to resort to force if it senses respect for, and an accommodation to, its needs and integrity emanating from its more powerful neighbors.

The American empire—and there can be few doubts that at this moment in history it merits this characterization—and its allies can surely demonstrate to the nations of the world a willingness to understand and accommodate those needs and not impose imperial will by force of arms. A complete disregard for consensus-building breeds marginalized players such as Osama bin Laden, al Qaeda and more like them waiting in the wings, not to mention suicidal insurgents in Iraq and any corner of the globe where American troops are garrisoned and corporate-persons plant their flags.

The regressive "thinking" served up by the so-called Straussian Neocons belongs in the "ash heap of history."

Carlos Acuna
El Centro, Calif.

Halper and Clarke should have devoted a little more space to criticism of how the neocons' doings, admittedly with the stamp of approval by Congress, belittles the harm done to the principles and stature of the United States. A cabal of quasi-fanatics have to a dangerous degree determined the parameters of how the rest of the world will now interact with America.

The stature of the United States and the respect that it merited and merits among other nations is far more important than whether we approve or disapprove of the character of a foreign head of state.

Armand De Laurell
via e-mail

Washington MONTHLY

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Subscription Rates: U.S. and possessions: one year, $44.95; two years, $79.95; three years, $109.95. For Canadian and foreign subscriptions, add $10 for surface delivery; air mail delivery add $32. Back issues, $5. The Washington Monthly is indexed in the Book Review Index, Political Science Abstracts, Public Affairs Information Service, the Readers' Guide to Periodical Literature, and Ulrich's International Periodicals Directory and may be obtained on microfilm from University Microfilms International, Ann Arbor, MI 48106. Published monthly except combined Jan./Feb. and July/Aug. issues by The Washington Monthly, LLC, wholly owned by W.M. Corporation, a District of Columbia nonprofit corporation.

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ISSN 0043-0633. Postmaster: Send change of address to The Washington Monthly, 733 15th Street, NW, Suite 520, Washington, DC 20005. Periodicals postage paid at Washington, D.C. and at additional mailing offices. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope unless emailed:

The Washington Monthly
733 15th Street, NW, Suite 520, Washington, DC 20005
tel: 202-393-5155 / fax: 202-393-2444
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Tilting at **Windmills**

by **Charles Peters**, founding editor

Who buys Viagra

I have been puzzled by the immense sales figures racked up by Viagra and by newer but similar drugs. I had thought these drugs had been developed for seniors who wanted to put a little fun back in life and for a relatively modest number of younger men who were troubled by sexual dysfunction. But obviously millions of young men are buying these drugs. If they really need them, how did women get pregnant before? A clue comes from Warren St. John of *The New York Times*. It's that men in their prime are taking Viagra not because they usually have a problem but because they don't want to have a problem tonight. I do recall, from my youth, that as the moment approaches in a relationship when it becomes clear or at least possible that this will be the night, males experience performance anxiety. In other words, Viagra and its relatives appear not so much to be an answer to a medical condition as an antidote to stage fright.

The meaning of "safer"

When Condoleezza Rice appeared on "60 Minutes" talking about 9/11, she said that now "the world is a lot safer." When the questioner observed that there have been more terrorist attacks in the 30 months since 9/11 than in the 30 months before, she replied, "That's not the way to look at it."

Blame game

It seems to me that the reporting of the Richard Clarke–Condoleezza Rice controversy put too much emphasis on whether the Bush administration was to blame for 9/11, and not enough on whether the administration's preoccupation with Iraq detracted from its war against those responsible for 9/11. On the first question, the evidence is so muddy that in a poll released just as we were going to press, Rice won. On the second, however, the evidence is strong. The Taliban and al Qaeda survive today because the Bush administration was so determined to attack Iraq that it diverted resources away from finishing the job in Afghanistan. "What was unique about George Bush's reaction," writes Richard Clarke, "was his choice to invade, not a country that had engaged in anti-U.S. terrorism, but one that hadn't."

Shop until they drop

"If 'sexy high heeled shoes' are four of your favorite words…If girls can never have too many handbags, dresses, t-shirts, or lacy underthings… If you know that shopping is one of life's most fabulous pleasures, then…" according to the envelope copy from a recent direct mail solicitation, you should subscribe to "*Lucky*, The Magazine About Shopping."

This reminds me that I want to embrace a proposal by the New America Foundation's Maya MacGuineas to replace the payroll tax with a tax on consumption. The worker's share of the payroll tax is an unfair burden on low- and middle- income workers. The employer's share is a disincentive to hiring new workers.

The value-added tax in Europe and state sales taxes in this country prove that consumption taxes can be accepted. And MacGuineas's proposal avoids the regressive problem of sales taxes by making the rate increase as the amount of consumption rises, and by providing low-income exclusions. As for the effect of a consumption tax on business, it's hard to believe that it would discourage the subscribers to *Lucky*.

My enemy's enemy

I admit there's not much chance that Ralph Nader can be persuaded to end his run for the presidency, but a ray of hope may have been presented by Wayne Slater's revelation in *The Dallas Morning News* that Republicans are contributing to the Nader campaign. When Slater asked these contributors if they would vote for Nader, they all replied they were for Bush. "So why," asks *The New Republic*, commenting on Slater's report, "are they giving Nader money?" If Ralph considers that question, he just might be shamed into doing what he should do, and that is get out now.

Gravy jet

Remember Bob Graham, the man who I said had collected $301,000 for running the senior service program for Wyoming County, W.Va. (pop. 25,000)? Well, I have to apologize. I got it wrong. He actually received a total of $463,000. It breaks down this way: $185,000 base salary, $44,000 overtime pay, $190,000 unused sick leave and personal days, and a Christmas bonus of $34,000.

To those who protest, Graham argues that the government can't regulate non-profits. It certainly hasn't been doing so. Cullen Murphy recently reminded us in *The Atlantic* of other examples of abuse by non-profits. "Item: in Massachusetts, a trustee of a family foundation reportedly increased his

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compensation in order to pay for a daughter's $200,000 wedding. Item: in Washington D.C., an audit of the local United Way revealed that the former chief executive had received some $1.5 million in 'apparently improper or questionable payments.'" Murphy goes on to describe the non-profit conference circuit, and the "privileges enjoyed by cosmopolitan thought leaders under the auspices of the gilded non-profit sector of the Western World—life on the gravy jet."

Media tilt

Live appearances by George W. Bush received 12 hours and 11 minutes of cable news coverage, compared to three hours and 47 minutes for Kerry between March 3 and April 16, reports *The Washington Post*'s Howard Kurtz. Part of this, of course, was due to Kerry's absences from the campaign because of his bad shoulder. But even after making the most generous allowance for Kerry's days off, Bush clearly had an advantage of more than 2-to-1. Bush's coverage was also, in my view, unmistakably more respectful than Kerry received, especially on FOX and CNN's Headline News. It is perhaps no coincidence the same period this study covered, the presidential race according to Gallup has gone from a Kerry lead to a Bush lead, 51-46.

The historic ability of the White House to control the news tended to disappear during the Clinton years but returned full-blast on 9/11. Since then, Bush has gotten the full benefit of the commander-in-chief role. The only exception to the recent White House dominance was during this year's Democratic primaries, which may help explain why as Kerry clinched the nomination, he led Bush in the polls by a comfortable margin.

Republican judge

More about Judge David Sentelle—remember, he's the judge who presided over the panel that appointed Ken Starr as Whitewater prosecutor and refused to pay more than a small amount of the legal expenses of Starr's victims. *The Washington Post*'s Carol Leonnig produced a revealing comparison of the reimbursement the court has approved for Reagan and Bush I appointees investigated for misdeeds related to Iran-Contra—they got $1.5 million—and the amount approved for Whitewater victims, $114,000. Incidentally, Leonnig notes that Sentelle named his daughter Reagan, in honor of Guess Who?

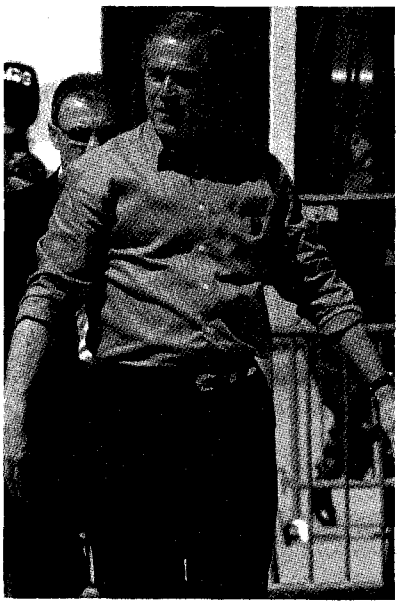
What about Bob?

Bob Shrum recently elbowed Jim Margolis, another political consultant, out of the Kerry campaign. The bad news for Kerry is that Margolis had created the most effective of Kerry's campaign spots to date, the two about his service in Vietnam. David Axelrod, one of the top Edwards managers, said: "I think he won Iowa because of those ads." Actually, I think he won more than that and would win many more states by continuing to appeal to Vietnam veterans.

America, Henry Wallace noted, even when the New Deal had been riding high, is a normally conservative country. For a Democrat to win, he needs either emergencies like the Great Depression and World War II, or he has to appeal to a substantial group of voters who would otherwise tend Republican. Kennedy did this with Catholics in 1960, Carter with Southerners in 1976, and Clinton repeated with Southerners in 1992. For this appeal to work, it helps that the group had felt disrespected, as was the case with Catholics and Southerners, and has been the continuing plight of Vietnam veterans. Kerry's ability to appeal to these veterans stood out as his campaign's principle political advantage. Why risk throwing away that advantage by getting rid of Margolis? Did Shrum simply want Margolis's

THE DUBYA IS FOR WAYNE, JOHN WAYNE

Have you ever noticed how George W. Bush walks, with his arms several inches from his side? It's exactly like the walk of movie cowboys, leaving room for the six-shooters strapped to their waist.



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share of the ad commissions, as Jim Rutenberg of *The New York Times* suggests? Or did he fear the inevitable attacks on the legitimacy of Kerry's military record? But what is indisputable about that record is that Kerry served in combat—in contrast to George W. Bush, Dick Cheney, Karl Rove, and the other Republican chickenhawks—and that while being shot at, he displayed bravery that stood out enough to win him the Silver Star, the nation's third highest decoration for courage.

Shrum's brilliance has won dozens of campaigns. His skills are legendary. He does, however, have a less appealing side. Those who recall the conclusion of the 1980 Democratic convention will remember the pathetic spectacle of Jimmy Carter pursuing Ted Kennedy around the platform, vainly seeking the arms joined and upraised pose that traditionally spells the coming together of primary opponents as a convention closes and the party looks ahead to the fall campaign. Being ignored by Kennedy was a complete and total humiliation for Carter. It was unusual for Ted Kennedy, who for all his faults is not a cruel man. Where did he get the idea to behave that way? No one knows the answer for sure, but Bob Shrum had ridden with Kennedy to the convention in the back seat of the same car that night.

Both sides

One of the glories of my hometown is that it has morning and afternoon papers. Furthermore, they have different points of view. The *Gazette* is Democratic, the *Daily Mail* Republican—a difference that is reflected in their presentation of the news. Here's how they played recent stories about the state of the local economy. The *Mail*'s banner headline announced

If what the First Amendment forbids is the singling out of religion or of a religion for help or harm by the state, exempting religion from property taxes, instead of expressing the intent of the amendment actually violates it.

"Toyota adds 50 workers;" a one-column story said, "DuPont losing 70 jobs." The *Gazette*, under a "Good News and Bad on Jobs" banner, devoted a four-column head to the DuPont cut, which it said was of 92 jobs, while giving one column to the good news from Toyota.

Communication breakdown

One problem with the military that drives me around the bend is the deaths of our soldiers that we could have prevented, those that are caused by friendly fire. David Martin, the CBS Pentagon correspondent, reports that of the 600+ American deaths in Iraq so far, roughly 400 were the result of enemy action. Consider the 18 Marines killed taking the bridge in Nasiriyah: As many as 10 of those deaths were by fire that came from our Air Force jets. The Marines had no way of communicating with the Air Force pilots, and the Air Force pilots had not been trained in how to identify Marine vehicles. Didn't the same problems exist in the 1991 Gulf War?

The warrior as welder

Another illustration of how maddening the Pentagon can be comes from *The Wall Street Journal*'s Greg Jaffe. It reminds me of the failure to provide body armor that we discussed last month. In this case it is the failure to adequately armor the Humvee. Many of the deaths and maiming injuries suffered by our soldiers could have been avoided if this simple step had been taken. At the beginning of the Iraq War, only 2 percent of the Army's 110,000 Humvees were armored. Even last May, after two months of fighting, the Army still said it needed only 250 armored Humvees in Iraq. Meanwhile, soldiers in the field were desperately trying to weld sheets of metal on the vehicles to give themselves some protection. Now the Army has finally ordered 11,000 armored Humvees, and 8,400 add-on kits to put armor on those already in the field. Jaffe attributes the long wake-up call to the Army's penchant for big-ticket equipment designed for big wars.

As if to prove Jaffe's point, George C. Wilson reports in *The Washington Post* that the Pentagon is planning to spend $80 billion to buy 278 F-22 fighters that we do not need, first because they were designed to prevent the threat of a Soviet air fleet that no longer exists, and second because updated F-16s can do the job now needed just as well as the F-22 at a much lower cost.

The best sources

In the months leading up to our invasion of Iraq last year, why did so few journalists avoid being conned by the Bush administratio"s case for those fictitious weapons of mass destruction? Answering that question in a recent article in *The New York Review of Books*, Michael Massing quotes *Knight-Ridder*'s John Walcott, one of the handful who were not gulled, as saying something that delighted me because it has

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been lesson number one at *The Washington Monthly* school of journalism for 35 years: "One question worth asking is whether we in journalism have become too reliant on high-level officials instead of cultivating less glamorous people in the bowels of the bureaucracy. So if you relied exclusively on traditional news sources —assistant secretaries and above—you would not have heard things we heard."

Witch-hunt

The Office of Independent Counsel for Whitewater finally closed its doors on March 23, having endured for more than 10 years, and costing more than $70 million. The office, which had been established to delve into the Whitewater real estate venture and related financial irregularities at a Little Rock Savings & Loan, managed to wander all over the place, culminating in its investigation of Bill Clinton's sex life. Its constantly expanding role was a tribute to the genius of the Republican right and its ability to persuade millions of Americans that Starr's mission wasn't the witch-hunt it truly was.

Risky business

One reason for the accounting scandals of recent years is something called the "risk-based audit." An example of how it works is provided by Jonathan Weil of *The Wall Street Journal*:

When Ernst & Young accountants took a look at Health South's 2002 financial statement, they asked the hospital chain's executives "if they were aware of any significant instances of fraud." The answer was no. "As a result," writes Weil, "the auditors performed far fewer tests of the numbers on the company's books than they would have at an audit client where they perceived the risk of accounting fraud to be higher."

Legal eagles

The Knight Foundation has pulled the plug on a program that gave journalists a year at Yale Law School. The idea was that the rigor of law school would be intellectually stimulating for the reporters who also would be better prepared to cover legal issues. Linda Greenhouse, who covers the Supreme Court for *The New York Times*, was one of the participants.

I think the Knight Foundation made a serious error in halting the program. In my 32 years of working with bright young journalists, I found their greatest defect to be a lack of sense of where the holes were in the cases they were making in their articles. The best way to learn to avoid those holes is through exposure to a demanding Socratic law professor who leaves you determined to never again be embarrassed by sloppy thinking. Every reporter, regardless of whether he's covering legal issues, needs this kind of intellectual discipline. There may be weaknesses in the Yale program—I understand, for example, that it is possible to avoid the tough professors – but they should be fixed and the program continued.

Numbers game I

Speaking of questionable accounting practices, Alex Berenson of *The New York Times* has discovered that Freddie Mac paid Washington Mutual $100 million for "the right to guarantee" Washington Mutual's mortgages. Now why should you pay to insure someone else's mortgages? They should pay you. It appears that the reason for this bizarre transaction was that Freddie Mac could use the loans on its books to meet its 2003 "affordable housing" goals. The Washington Mutual loans covered apartment buildings with 5-50 units. Each such unit counts for two toward Freddie's affordable housing goal. If this isn't Wonderland, why is Alice standing there?

Jeepers creepers

The bad news is that the Hummer limo, a stretch version of the H2, is, according to the *AP*, "among the most sought after limos." The good news is that sales of the regular H2 "fell by 21% in February," according to *The New York Times*, "making the sixth straight month of falling sales."

Doctored ratings

Twenty-eight large corporations are teaming up to develop "score-cards" to help their employees choose a physician, reports *The Wall Street Journal*'s Laura Landro. One part of the scorecard, rating doctors on how well they care for their patients, is clearly laudable. It's the other part that worries me. It is based on how "cost-efficient" the doctors are. This too could be a good idea, but only if used to punish wasteful medical practices—and not if used, as I fear the companies will be tempted to do, to pressure employees to use the cheapest doctors.

Numbers game II

Speaking of statistical manipulation, it turns out that Atlanta played around with its crime figures in order to win the 1996 Olympics. The *AP* reports that the practice of underplaying crime statistics became so habitual in the Atlanta police department that it continued until at least 2002, when it appears that 22,000 crime reports were "either intentionally suppressed or lost through sloppy record-keeping." Of these, 4,281 were for violent offenses.

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Made in India

Merck let 3,200 of its American workers go last year as it announced 1,200 new jobs abroad, reports Jonathan Weisman of *The Washington Post*, who adds that in the same period, Merck increased its untaxed foreign earnings by $3 billion to a total of $18 billion, on which it says it has no intention of ever paying U.S. taxes.

Intel dropped 3,300 American employees while it added 4,300 overseas. Its untaxed earnings grew by $700 million to a total of $7 billion. The company said it "intends to reinvest the earnings indefinitely in operations outside the United States." Doesn't this mean that John Kerry is right about wanting to change the tax system so that corporations are not rewarded for sending jobs abroad and not paying taxes here?

First thing we do, let's outsource the lawyers

For a moment at least, a recent headline in *The Wall Street Journal* boosted my hopes that action would be taken to stop the flow of jobs overseas. It read, "Next on the Outsourcing List, Job Shift to Cheaper Countries Could Threaten More Careers: Analysts, Architects, Attorneys." If the lawyers are threatened, I reasoned, action by politicians, so many of whom are also members of the bar, would quickly follow. But my hopes were dashed: By reading on in the story, I saw that it was only the paralegals, the little guys of the law, who were threatened. I am afraid that the big shots will only become concerned about outsourcing when their own jobs are threatened.

Stumbling at the end

My wife Beth and I were talking about Ralph Nader the other day. "He reminds me of Clark Clifford," she said. Clifford had climaxed a distinguished career of public service both as a high official and as an advisor to presidents by embarrassing himself as the head of the First American Bankshares of Washington during a period of unseemly fiscal hanky-panky at that institution. I couldn't see what was similar, so I said why? She explained that it was because both men in the twilight of their careers chose a way of remaining players that instead of enhancing their reputations, threatened to destroy them.

Viagra and its relatives appear not so much to be an answer to a medical condition as an antidote to stage fright.

Sistani as Hindenburg

Another historic analogy has occurred to me, which for obvious reasons I pray I'm wrong about. But could it be that Muqtada al-Sadr will turn out to be Hitler to Sistani's Hindenburg? Hindenburg, you will recall, was the revered German statesman and World War I hero who, despite a profound distaste for Hitler, lacked the will to fight him when he had the prestige to do it. It's incredible the extent to which our future in Iraq depends upon one man, Sistani, our ability to handle him, and his ability to handle the extremists.

Render unto Caesar

Thanks to everyone who wrote about the religion item in last month's Tilting. I hope the *Monthly* will have space to run some of the letters in our next issue. In the meantime, I want to mention one, from my old friend Juanita Goodman, who back in the 1950s worked with my wife and me on a young people's program at the First Presbyterian Church in Charleston. She writes about one thing her current church is doing to be socially responsible: It pays its share of the local property taxes, even though it's not legally required to do so. I was delighted to hear this because I've long believed churches should pay taxes in return for the services that they are provided by government, like police and fire protection. If what the First Amendment forbids is the singling out of religion or of a religion for help or harm by the state, exempting religion from property taxes, instead of expressing the intent of the amendment actually violates it.

Real Christianity

While we're still on religion, John Kerry, speaking at the New Northside Baptist Church in St. Louis, cited James 2:14, "What does it profit, my brethren, if someone says he has faith and doesn't have works?" and asked, "When we look at what is happening in America today, where are the works of compassion?"

A Bush campaign spokesman replied, "John Kerry's comment at the New Northside Baptist Church was beyond the boundary of acceptable discourse, and a sad exploitation of scripture for political attack." It seems that real Christianity makes the Bushies nervous.

Pinstripes

Journalists are dressing more and more like Wall Street lawyers and bankers. TV anchors and reporters, even print journalists on those talk shows, all seem to be wearing pinstripes. One has to wonder if their point of view is becoming pinstriped as well.

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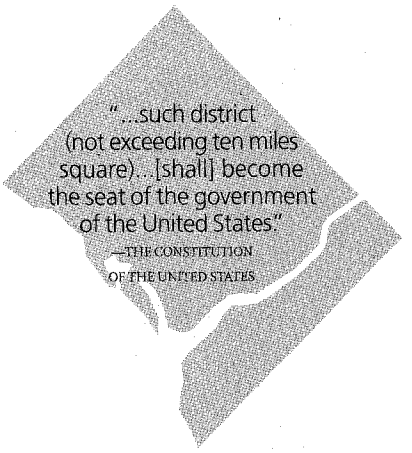
10 MILES SQUARE



Spars and Stripes

The Pentagon puts the squeeze on its own newspaper.

By Robert Schlesinger

Last summer, as major combat operations in Iraq gave way to a wearying occupation effort, the military newspaper *Stars & Stripes* began to receive scores upon scores of letters from American troops complaining about conditions in-theater. Although senior officials at the Pentagon were making glowing public statements about morale, *Stripes* decided to take a closer look. Over the next few weeks, teams of *Stripes* correspondents fanned out across Iraq to assess how troops were faring, surveying some 2,000 American servicemen and women. Published last October as part of a series titled "Ground Truth," the results were alarming. Among other findings, nearly one third of all Army troops surveyed rated their unit's morale as "low" or "very low." Forty percent of those surveyed said that what they were doing was not close to or had nothing to do with what they had trained for, and a similar number said their missions were not clearly defined—fanning fears that reenlistments would drop steeply, exacerbating the military's post-9/11 overstretch.

The next day, Secretary of Defense Donald Rumsfeld stepped up to the podium in front of the DOD's seal in the Pentagon's briefing room for regular sparring session with the press. It was here that Rumsfeld made his reputation for hectoring, demeaning, and entertaining reporters with his quasi-professorial, mostly uninformative answers to their questions. Rumsfeld is not the sort of senior official who encourages a lot of open discourse or the airing of bad news. Indeed, under his tenure the "Early Bird," the Pentagon's in-house news clipping service, last year began to exclude articles that reflected poorly on the administration's policies. So it was no surprise that when asked about low morale in the field, Rumsfeld responded by questioning the surveys' credibility in his usual Little League coach manner, cheerful but condescending. "I'm not an expert on it, but I'm told it was an informal and admittedly non-scientific poll," he said. "And one would have to say that if you take a couple hundred thousand people and looked across them, you're going to find people at every point in the spectrum in terms of their views and whether they're up or down or happy or sad or whatever."

Having attacked the message, the Pentagon leadership commenced attacking the messenger. Despite enjoying the biggest defense budget since Vietnam—and the $87 billion in emergency cash appropriated by Congress for the occupation—the secretary's office decided that *Stars & Stripes* was too big a drain on the budget, and that some belt-tightening would be needed at the paper. The paper's staff quickly figured out the message. "It's not about money," one anonymous Striper wrote on Jim Romenesko's media gossip Web site in January. "It's totally political. It's about trying to kill *Stars & Stripes*."

The irony is, *The Washington Monthly* has learned, that the series on low morale which raised the

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secretary's ire had already been watered down by the paper's editors. A wishy-washy headline—"What is the morale of U.S. troops in Iraq? Answers vary"—had been slapped on the lead story, as had a prominent pull-quote from Lt. Gen. Ricardo Sanchez, the U.S. commander in Iraq, insisting that morale was good. Other pieces in the series had been toned down or badly rewritten, substituting passive bland prose for harder-hitting active phrasing. Others were condensed into quick mentions or cut altogether.

Shortly after the gelded series appeared, the reporters who worked "Ground Truth" fired off a joint letter of protest to the paper's leadership. "The story selection, editing, headlines and layout lean far too heavily in favor of the rosy assessment of top leaders and the relatively few troops who appear to agree with them," the memo read. "With little or no explanation, pivotal stories were spiked, key segments of material were deleted removing dozens of strong comments from soldiers critical of the mission and Pentagon leadership." Requesting an outside, independent investigation of how the series was put together, they instead got an internal investigation by the newspaper's current ombudsman, Joseph Ungaro, who praised both the series and top Pentagon officials for their cooperation. The journalists who reported the story rolled their eyes. "The entire package was watered down to the point of unrecognizability," one of them told me in March, speaking on condition of anonymity. "Some reporters wished that they could have had their bylines taken off that package."

From Elvis Presley to Andy Rooney

Stars & Stripes' headquarters are on the third floor of the National Press Building in downtown Washington, decorated with blow-ups of classic black-and-white photographs from the paper's past, like the young, trim Sergeant Elvis Presley grinning down from the wall outside the publisher's office. Technically, the reporters for *Stripes*—billed as the "authorized, independent daily newspaper of the Defense Department for the U.S. military community"—all work under the secretary of defense. Indeed, *Stripes* was once staffed entirely by enlisted soldiers. Civilian reporters were first brought in after World War II, and in the late 1980s, a round of censorship complaints prompted Congress to put civilians in editor slots too, along with an independent ombudsman. The transition to a civilian publisher in the mid-1990s completed what should have been a transition to almost complete functional independence from the Pentagon. Over the years, *Stripes* has produced not a few noted journalists, including Steve Kroft and Andy Rooney of "60 Minutes" fame. And the staff—most of whom work abroad—are fiercely protective of the paper's independence and keenly aware of the esteem in which it is held by soldiers in the field. "The paper has such a legacy," reporter Ward Sanderson, who wrote the lead story on morale for the "Ground Truth" series, told me recently. "They feel like it's something for them, and not just a newspaper."

In many respects, *Stripes* is like a typical daily newspaper covering a large town or small city. It covers a gamut of local issues *The New York Times* won't: "Pipe at Camp Humphreys ruptures, spilling 33,000 gallons of aviation fuel," ran a recent headline. Copies cost 50 cents; the paper derives the bulk of its revenue from advertising and subscriptions. But what kept *Stripes* in the black was the paper's lucrative concession to run bookstores on U.S. bases. That changed in 1994 when Congress handed the bookstores over to the Army and Air Forces Exchange Services, which run the base PXs, and instructed the Pentagon to pony up one-third of the paper's roughly $36 million budget—keeping *Stripes* in business, but giving the brass new leverage even as the paper was becoming wholly civilian run.

"Once they got control of the purse strings you can pretty much sketch in the rest of the picture," a former Striper told me. In 2000, for instance, publisher Tom Kelsch spiked—at Pentagon insistence—a scoop that the United States was moving a Patriot missile battery from Germany to Israel. (Insult joined injury when Kelsch instructed the paper to run *The Washington Post*'s version of the same story.) The editor quit in protest. Kelsch described the episode to me as the "most flaming example" of Pentagon interference during his tenure.

But things took a turn for the worse when the Bush administration came into office. Press secretary Victoria Clarke put *Stripes*—formerly supervised by a career civil servant—under the purview of a political appointee. "It's a disadvantage, there's no question about that, for *Stripes*," one congressional source told me. Members of Congress frequently have to shoot down Pentagon trial balloons, this person said, that in the last year

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alone have included talk of a funding cut and a further restructuring of *Stripes* management.

Then came the war in Iraq. As the military geared for war last spring, so too did *Stripes*. It opened a Kuwait bureau, embedded reporters among U.S. fighting units, and deployed others to surrounding countries like Turkey and Bahrain. But with so many troops ordinarily stationed in Europe deployed in Iraq—and half the army's combat units serving there—advertising and circulation both plummeted. To stay in the black, *Stripes* needed to shift distribution to where its readers were. But once major hostilities ended and the paper started printing in Baghdad, U.S. Central Command limited the paper to a single small printing press in Baghdad and would only buy 15,000 copies daily. They were widely available at Baghdad International Airport, but made it out to the far reaches of the country with less frequency. "15,000 newspapers in Central Command with 240,000 troops in the [area]? You do the math," one staffer said. "That's ridiculous."

The publication of "Ground Truth" didn't help. In the wake of the internal debate, *Stripes* Editorial Director Dave Mazzarella, issued an internal memorandum stating that "balance, accuracy and interest are conditions that must be met in order for *Stripes* to enjoy freedom from interference." Those *Stripes* reporters who took this as an admission that Mazzarella had watered down the package in the hopes of avoiding a run-in with his superiors were not surprised when, not long after, word got around that the paper was losing money and would have to find a way to stop the bleeding—possibly by closing bureaus, combining the daily color magazine supplements (one is devoted to travel, another, "Pulse," is an alternative weekly aimed at the under-30 crowd), or selling the European press. Things improved somewhat in March, when the Pentagon found $2 million to help augment circulation in Iraq to 25,000 per day—the maximum possible in the Baghdad printing plant, though Kelsch said they hope to eventually double that. But in the long run, that won't be enough to sustain the paper. "When we come right down to it, it seems to me to be a question of the military wanting to crimp the newspaper's financial status in order to force the paper to be less entrepreneurial in its investigative reporting," said Phil Robbins, a former *Stripes* ombudsman who still serves as the liaison between the paper and the Society of Professional Journalists.

That kind of interference is a dangerous game. Stripers who reported the "Ground Truth" stories said the biggest complaint they heard was that troops didn't feel like they were getting good information about little things like when they would be going home. While an Army may travel on its stomach, its morale—especially in an all-volunteer force—survives on good, straight information, which *Stripes* should provide without fetters. With the situation in Iraq showing no signs of improvement—indeed, getting worse as of mid-April—everyone in the military, from homebound spouses to soldiers to Pentagon civilians, needs unvarnished truth in order to respond ably. Whether they'll get it from *Stars & Stripes* is unfortunately an open question.

Robert Schlesinger, a Washington journalist and former Pentagon correspondent, can be reached at rschles@hotmail.com.

The Washington Monthly's

Monthly Journalism Award

Amanda Ripley
"How We Got Homeland Security Wrong"
Time
March 29, 2004

Perhaps the most arresting thing about Ripley's brilliantly reported, cleverly written story about the absurdities of the homeland security grant system is the photo of the Cheyenne, Wyo., Haz-Mat team wearing globular, silver space age suits, paid for by the Department of Homeland Security and designed to help pick up after chemical spills. Ripley's narrative picks up an old Monthly narrative: even new federal funding streams are subject to the same old rules of pork-barrel politics. Thus, writes Ripley, "[T]he vast majority of the $13.1 billion was distributed with no regard for the threats, vulnerabilities and potential consequences faced by each region." Hence, Alaska has been awarded $58 per capita for homeland defense, while New York gets only $25. The best-funded state per capita is Wyoming, which has enough federal dollars to buy "enough protective hazmat suits for every police officer, sheriff's deputy and coroner in the state."

The Monthly Journalism Award is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including a copy of the article or broadcast text) to The Washington Monthly Journalism Award, 733 15th Street, NW, Suite 520, Washington, DC 20005. Or email us at editors@washingtonmonthly.com.

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WHO'S WHO

Every now and then, we like to check in with old friends who have appeared in the *Monthly*'s pages. One such individual is **Bill Bennett**, the morals czar and former education secretary whose extensive—and expensive—gambling habits we revealed about one year ago. Bennett has been laying low ever since, but now he's gone to disgraced conservatives' heaven: Yep, talk radio. In early April, Bennett debuted as the host of "Morning in America"—get it?—a three-hour talk show airing five days a week in some 20 media markets, joining the likes of **G. Gordon Liddy** on the nation's airwaves. We also hear from a very highly-placed source that CNN is a little more reluctant to book **James K. Glassman**, the ubiquitous financial and politics pundit, since the *Monthly* revealed that a Web magazine he hosts, TechCentralStation.com, is published by a lobbying firm and funded in part by that firm's clients. On the other hand, Glassman has been sparring a lot with **Lou Dobbs** lately.

A move by the Federal Election Commission to issue rules regarding the Bipartisan Campaign Reform Act of 2002—a.k.a. **McCain-Feingold**—has sparked a rift among the public-interest groups that supported the legislation. At issue are so-called "527" groups, most of them run by Democrats, which for the last year have been raising and spending millions of dollars of soft money—the large, unregulated contributions that political parties are now prohibited from taking in. On the one side are those reformers, led by Democracy 21 president **Fred Wertheimer**, who think the 527s are in violation of McCain-Feingold and want the FEC to reign them in. On the other are those, led by Common Cause president **Chellie Pingree**, who think it's too late in the '04 campaign to start making new rules that will affect its outcome, and want to sort it all out after November. The twist is that Wertheimer was Pingree's predecessor as head of Common Cause—and is none too pleased that his old group isn't supporting the 527 crackdown. WW is told that Wertheimer even approached members of Common Cause's board and asked them to help bring Pingree around. Wertheimer was unavailable for comment when we called, but Pingree says, "I'm not sure who's been calling who, but I can say it's a hotly contested debate. There's been an incredible amount of dialogue."

Joseph Kalvoda, a history professor at St. Joseph College, doesn't think much of National Security Adviser **Condoleezza Rice**. According to Kalvoda, Rice "frequently does not sift facts from propaganda and valid information from disinformation or misinformation" and "passes judgments and expresses opinions without adequate knowledge of facts." But Kalvoda is not, as one might have thought, writing about Rice's performance with regards to the Iraq war. These passages actually come from his review of Rice's 1984 book, *The Soviet Union and the Czechoslovak Army, 1948-1983: Uncertain Allegiance*, in the American Historical Review. Apparently, history does repeat itself.

Having already conquered the small screen with his starring role on the HBO show "K Street," Democratic political consultant **James Carville** has set his sights on the world of children's publishing. Next September, **Ragin' Cajun**—in collaboration with award-winning children's author **Patricia C. McKissack** and illustrator **David Catrow**—will publish *Lu and the Swamp Ghost*. It's about a little girl who befriends a "swamp ghost" on the Louisiana bayou during the Depression, only to discover the ghost is a down-on-his-luck kid covered in muck. The story is loosely based on the tales Carville's mother, **Lucille**, used to tell Carville and his seven brothers and sisters about her childhood. WW heard that Carville will soon begin working on a follow-up project, co-authored with child-rearing expert **Terry Brazelton**. Due out shortly before Election 2004, the book is tentatively titled *Mama, Don't Let Your Children Grow Up To Be Republicans: A User's Guide*.

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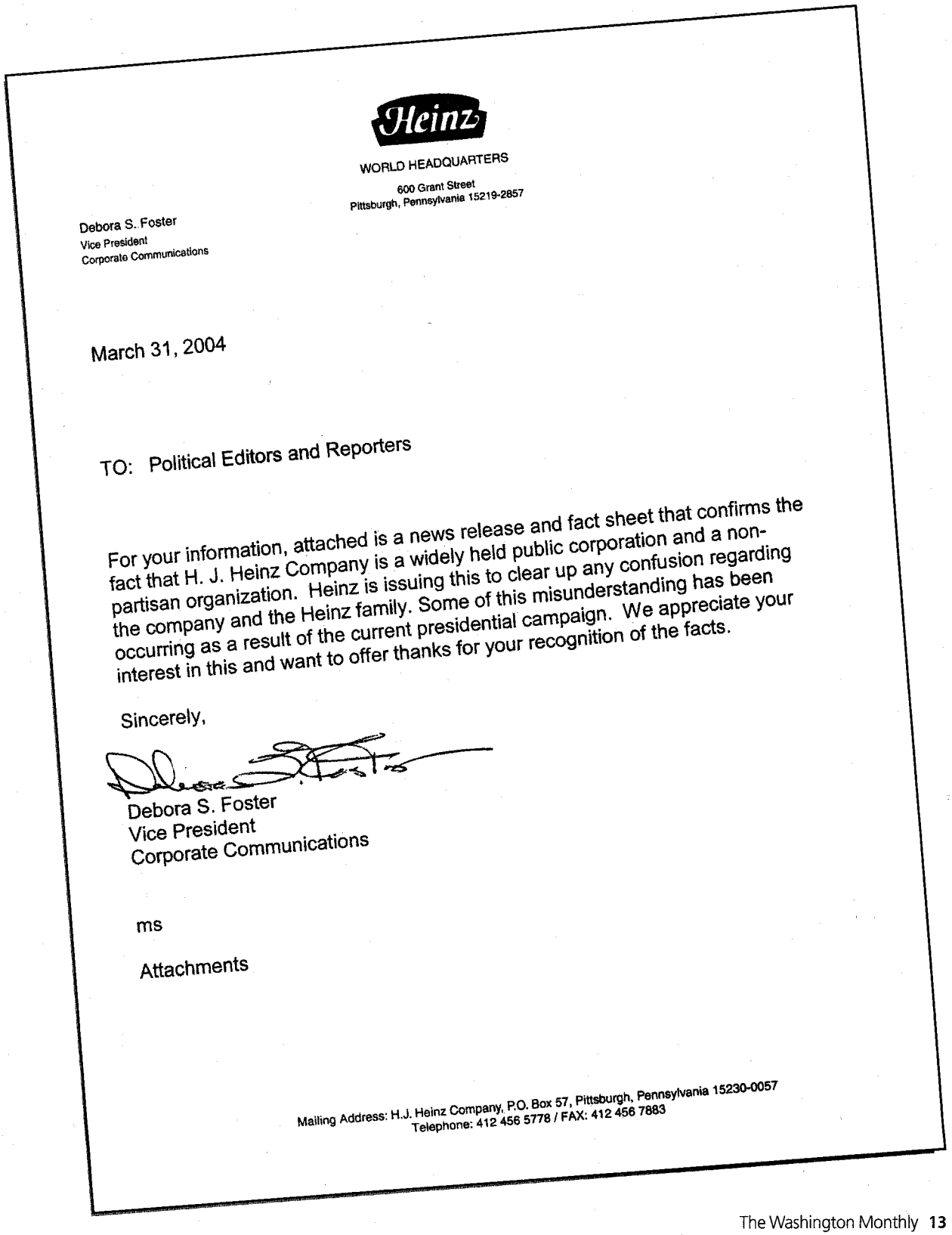
MEMO OF THE MONTH



Heinz

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Debora S. Foster
Vice President
Corporate Communications

March 31, 2004

TO: Political Editors and Reporters

For your information, attached is a news release and fact sheet that confirms the fact that H. J. Heinz Company is a widely held public corporation and a non-partisan organization. Heinz is issuing this to clear up any confusion regarding the company and the Heinz family. Some of this misunderstanding has been occurring as a result of the current presidential campaign. We appreciate your interest in this and want to offer thanks for your recognition of the facts.

Sincerely,

Debora S. Foster
Vice President
Corporate Communications

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Attachments

Mailing Address: H.J. Heinz Company, P.O. Box 57, Pittsburgh, Pennsylvania 15230-0057
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A Kerry Landslide?

Why the next election won't be close.

By Chuck Todd

Over the last year, most political TV shows handicapping the upcoming presidential election have repeated the refrain that the race will be extremely tight. Last month, CNN's astute commentator Jeff Greenfield hosted an entire segment on how easily this election could turn out like 2000, with President Bush and Sen. John Kerry splitting victories in the popular vote and the electoral college. Greenfield even threw out the possibility of an electoral college split of 269-269, brought about by a shift of just two swing states that went for Bush last time, New Hampshire and West Virginia. He ended his feature with the conventional wisdom among Washington pundits: "We're assuming this election will stay incredibly close." Reporters covering the campaign echo this expectation, sprinkling their campaign dispatches with references to the "closely fought" electoral race and "tight election."

The campaign staffs themselves have been saying for months that they anticipate that the race will go down to the wire. In late April, Republican party chairman Ed Gillespie told *The New York Times* that he expected a "very, very close" race. This winter, Democratic party chairman Terry McAuliffe urged Ralph Nader not to enter the race, fearing that the perpetual candidate could take precious votes away from Kerry in a race sure to be won by a hairline margin.

There are perfectly understandable reasons why we expect 2004 to be close. Everyone remembers the nail-biting 2000 recount. A vast number of books and magazine articles describe the degree to which we are a 50/50 nation and detail the precarious balance between red and blue states. And poll after poll show the two candidates oscillating within a few percentage points of one another. There are also institutional factors that drive the presumption that the race will be tight. The press wants to cover a competitive horse-race. And the last thing either campaign wants to do is give its supporters any reason to be complacent and stay home on election day.

But there's another possibility, one only now being floated by a few political operatives: 2004 could be a decisive victory for Kerry. The reason to think so is historical. Elections that feature a sitting president tend to be referendums on the incumbent—and in recent elections, the incumbent has either won or lost by large electoral margins. If you look at key indicators beyond the neck-and-neck support for the two candi-

Chuck Todd is the editor in chief of *National Journal's* Hotline.

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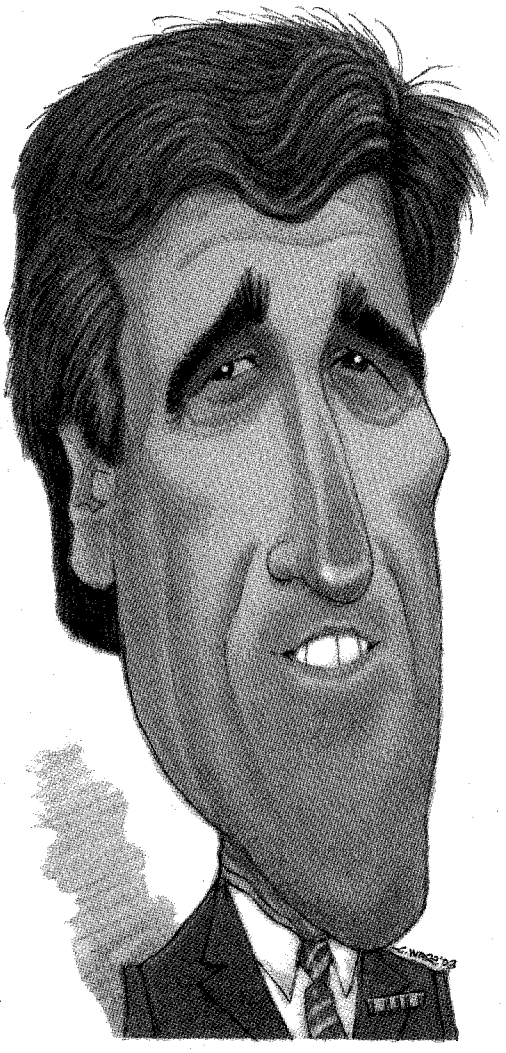

Art by Chris Ware

dates in the polls—such as high turnout in the early Democratic primaries and the likelihood of a high turnout in November—it seems improbable that Bush will win big. More likely, it's going to be Kerry in a rout.

Bush: the new Carter

In the last 25 years, there have been four elections which pitted an incumbent against a challenger—1980, 1984, 1992, and 1996. In all four, the victor won by a substantial margin in the electoral college. The circumstances of one election hold particular relevance for today: 1980. That year, the country was weathering both tough economic times (the era of "stagflation"—high inflation concurrent with a recession) and frightening foreign policy crises (the Iranian hostage crisis and the Soviet invasion of Afghanistan). Indeed, this year Bush is looking unexpectedly like Carter. Though the two presidents differ substantially in personal style (one indecisive and immersed in details, the other resolute but disengaged), they are also curiously similar. Both are religious former Southern governors. Both initially won the presidency by tarring their opponents (Gerald Ford, Al Gore) with the shortcomings of their predecessors (Richard Nixon, Bill Clinton). Like Carter, Bush is vulnerable to being attacked as someone not up to the job of managing impending global crises.

Everyone expected the 1980 election to be very close. In fact, Reagan won with 50.8 percent of the popular vote to Carter's 41 percent (independent John Anderson won 6.6 percent)—which translated into an electoral avalanche of 489 to 49. The race was decided not so much on the public's nascent impressions of the challenger, but on their dissatisfaction with the incumbent.

Nor was Carter's sound defeat an aberration. Quite the opposite. Of the last five incumbent presidents booted from office—Bush I, Carter, Ford, Herbert Hoover, and William Howard Taft—only one was able to garner over 200 electoral votes, and three of these defeated incumbents didn't even cross the 100 electoral-vote threshold:

—1992: 370 (Bill Clinton) to 168 (George H. W. Bush)
—1980: 489 (Ronald Reagan) to 49 (Jimmy Carter)
—1976: 297 (Jimmy Carter) to 240 (Gerald Ford)
—1932: 472 (FDR) to 59 (Herbert Hoover)
—1912: 435 (Woodrow Wilson) to 88 (TR) to 8 (Taft)

Poll sitting

Historically, when incumbents lose big, they do so for sound reasons: The public sees their policies as not working—or worse yet, as failures. That's certainly increasingly true of Bush today. From the chaos in Iraq to an uncomfortably soft economic recovery to the passage of an unpopular Medicare bill, the White House is having a harder and harder time putting a positive spin on the effects of the president's decisions.

And while Bush still retains a loyal base, he has provoked—both by his policies and his partisanship—an extremely strong reaction among Democrats. One indication is that turnout in this year's early Democratic primaries was way up. Nearly twice as many Democrats turned out for the 2004 Iowa caucuses as they had for those held in 2000. The turnout in New Hampshire for the Democratic primary was also extraordinarily high, up 29 percent from the previous turnout record set in 1992—the year Bush's father lost his reelection bid.

The Democrats' recent enthusiasm at the polls may in part be because this year's primary featured nine candidates, and Howard Dean's unusual campaign mobilized many new voters—both for and against him. However, the excitement in the Democratic race can't explain primary voter behavior on the other side of the aisle. Republican turnout in the New Hampshire primary was lower than in 2000, but that isn't surprising considering that Bush's nomination was never in question this year. A fairer way to gauge the eagerness of the president's base to rally behind him is to compare this GOP primary to the last one that featured an incumbent running for reelection with no real primary opposition: Bill Clinton in 1996. That year in New Hampshire, 76,874 Democrats cast ballots for Clinton. This year, 53,749 Republicans cast ballots for Bush.

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This is especially astonishing, considering that, in New Hampshire, there are more registered Republicans than Democrats.

The most obvious evidence cutting against the historical trend of elections featuring incumbents being won or lost by large margins is that opinion polls have consistently shown Bush and Kerry running neck and neck. But look carefully, and you'll find a couple of nuances in the most recent poll data that point to the potential for a big Kerry win. First, in polls that implicitly assume a higher turnout, Kerry performs better than he does in other polls. Most of the polls you hear about—and the ones that prognosticators trust the most—are surveys of "likely voters." Among the criteria pollsters typically use to identify likely voters is whether the subjects participated in the last election. These polls have proven more accurate in recent elections, like 2000, when voter turnout was relatively low—of the last nine presidential elections, only two showed lower turnout than 2000. But there are strong reasons to think that voters will turn out in larger numbers this year—especially among Democrats.

The historical pattern may strongly suggest that if Kerry wins, it will be by large margins—but that is hardly fated. It will only happen if Kerry successfully highlights Bush's failings while showing himself to be an appealing alternative.

Four years ago, when the economy was strong, the country wasn't at war, and both presidential candidates ran as moderates, just 43 percent of adults told an early April Gallup poll that they had been thinking about the election "quite a lot." This April, when the issues seem much bigger and the differences between the candidates much starker, Gallup found that 61 percent of adults said they had been giving "quite a lot" of thought to the election.

So, presuming higher turnout, an arguably better predictor of election results would be polls of registered voters—both those who voted and those who stayed home in 2000. In an early April Gallup poll, Kerry trailed Bush 46 percent to 48 percent among likely voters, but led 48 percent to 46 percent among registered voters. Kerry's support had dropped incrementally in a late April Gallup poll, but he continued to garner higher support among registered voters than likely voters.

The second nuance to look at is what political consultant Chris Kofinis calls "the Bush bubble": the gap between the president's overall approval ratings and his approval ratings on specific policy areas. According to the most recent *Washington Post*/ABC News poll, Bush's approval rating now stands at 51 percent. That isn't bad, though it is noticeably below what the last two incumbents who won reelection had at this point in the election cycle: Reagan's approval was 54 percent and Clinton's was 56 percent. But even Bush's 51 percent may be softer than it looks. In the same poll, on seven of nine major policy issues—the economy, Iraq, Social Security, health insurance, taxes, jobs, the deficit—less than half of respondents said that they approved of the president's performance. In several cases, his approval was well below 50 percent. Only 45 percent approved of Bush's handling of Iraq; 44 percent of his performance on the economy; 34 percent of his performance on the deficit; and 33 percent of his stewardship of Social Security. Even on policy areas in which the president's approval is now relatively high—education and the war on terror—he is vulnerable to later substantive attacks by Kerry. For instance, he currently garners 51 percent approval on education, due largely to his role in passing a bold education measure; increasingly, however, educators and the public are alarmed about the effects of No Child Left Behind.

Kerry's challenge

Of course, the tight polling data does reflect a fundamental reality: For all the fallout from his policies, Bush still appeals to many Americans because of his seeming decisiveness, straight talk, and regular-guy charm—not qualities that John Kerry prominently displays. The historical pattern may strongly suggest that if Kerry wins, it will be by large margins—but that is hardly fated. It will only happen if Kerry successfully highlights Bush's failings while showing himself to be an appealing alternative. Otherwise, the senator could see himself losing an electoral rout, not winning in one. In fact, the second most likely outcome of this election is a Bush landslide. With just one exception, every president to win a second consecutive term has done so with a larger electoral margin than his initial victory. The least likely result this November is another close election.

Right now, the president is vulnerable. As *The New Republic*'s Ryan Lizza argued in a recent *New York Times* editorial, undecided voters "know [the incumbent] well, and if they were going to vote for him, they would have already decided. Thus support for Mr. Bush should be seen more as a ceiling, while support for Mr. Kerry, the lesser-known challenger, is more like a floor." That points to both an opportunity and a challenge for the Kerry campaign. Kerry needs to convince voters that he's up to the job—and that Bush isn't. If he can woo voters dissatisfied with Bush's policies, there's a potential—and historical precedent—for Kerry to win big. ◆

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Bush's Secret Stash

Why the GOP war chest is even bigger than you think.

By Nicholas Confessore

Like the natural world, campaign finance is governed by inescapable laws of physics. One is that what goes up usually keeps going up: During every presidential election, the two parties manage to raise more money than they did the last time around. Another is that any given action rarely produces an equal and opposite reaction. Every four years, the GOP outraises and outspends the Democratic Party, usually by tens of millions of dollars.

Art by Gus D'Angelo

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Until recently, the Democrats could even the scales somewhat by raising "soft" money, the unlimited contributions from rich individuals, corporations, and labor unions that flowed to both parties in roughly equal amounts during the 1990s. But two years ago, the McCain-Feingold Act prohibited parties from raising soft money, a goal long sought by liberal newspaper editorialists and good-government activists. Ever since, the Democratic Party's fundraising has lagged even farther behind the GOP's than usual.

But last summer, a coterie of labor campaign operatives, liberal advocacy-group leaders, and old Clinton hands began exploiting one of McCain-Feingold's loopholes. They organized several groups under Section 527 of the tax code to raise and spend the soft money which the Democratic Party no longer could. Scores of wealthy liberals, among them George Soros, have together given tens of millions of dollars to these "527s," which have generic names like Americans Coming Together and Voices for Working Families. And in March and April, these groups spent a chunk of the money on issue ads attacking Bush, just as Bush was spending $50 million from his campaign war chest to attack Kerry. Though Kerry has raised $85 million worth of the $2,000 and under "hard money" donations permitted under McCain-Feingold—a Herculean amount for a Democrat—Bush has raised more than twice that. Without help from the 527s, the Kerry campaign would probably be in big trouble.

The GOP, of course, is well aware of this. Which is why its lawyers have filed legal challenges with the Federal Election Commission to get the 527s shut down, charging that this "Democratic shadow party" represents a "conspiracy" to "illegally" pump soft money into the presidential race. Such campaign finance groups as Democracy 21, the Campaign Legal Center, and the Alliance for Better Campaigns—which once butted heads with Bush over his opposition to McCain-Feingold—have joined the battle against this new Democratic weapon, as have anti-soft money editorial boards at newspapers across the country. In an editorial titled "Soft Money Slinks Back," *The New York Times* inveighed against "political insiders" who were "carving a giant loophole" in election law, while the *Los Angeles Times* called upon the FEC to "issue tough new rules" against the 527s. *The Boston Globe* was even more acerbic, raging in April that the commission "has all but declared itself impotent to act during this election cycle."

Thus chastened, the FEC last month held two days of hearings on the issue. But a curious thing happened. Instead of coming in for the kill, the GOP's lawyers who were invited to testify refused to appear. Why did they pass up an opportunity to potentially cripple the Kerry campaign, an opportunity for which they had implored the commission for months? Because the FEC had decided that, as long as it was trying to figure out what kind of political activities were legal for 527s, it should also take a look at another category of organizations, known as "501(c)s." Many well-known groups—from AARP to the Nature Conservancy—are set up under Section 501(c) of the tax code, and are also allowed to raise and spend donations for political purposes, including running television "issue ads" that mention candidates. And such 501(c)s as the National Rifle Association and the National Right to Life Committee are vital allies of the GOP; they raise money mostly from their members and use it to buy ads or direct mail supporting the position of one candidate (usually the Republican) or attacking the position of another (usually the Democrat) on issues important to the group. The GOP lawyers had an obvious interest in not wanting the FEC to do anything that might cripple these groups' ability to help the party.

But they were also eager to protect a whole other category of 501(c)s—one that has garnered little attention from campaign finance reform groups or reporters covering the 2004 election. Like the Democratic 527s, these groups have innocuous-sounding names: Americans for Job Security, for example, and Progress for America. Like the 527s, these groups are staffed by veteran party operatives and, in practice, are wholly or primarily devoted to getting their side's candidates elected. And like the 527s, they may raise and spend unlimited amounts of soft money on radio and television ads, direct mail, and voter contact efforts.

There are, however, a few key differences that make 501(c)s a far more insidious vehicle for soft money. The law does not require that they disclose how much they spend until well after Election Day. Worse, they don't have to disclose who their donors are at all. Even foreign

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governments can in theory give money, with no questions asked. No one knows how much the Republican shadow party has raised or will spend this year. But the tens of millions they spent in 2002 were instrumental in putting the Senate back in GOP hands—and there's every possibility they could help push Bush and the Republicans over the line come November.

They've got issues

One of the peculiarities of Washington's influence industry is that large parts of it aren't actually in Washington. If you wanted to learn what issues are important to, say, the American Academy of Physician Assistants or the National Rural Letter Carriers Association, you'd have to journey beyond the district line, and in particular to Alexandria, Va., a small suburb located a few miles down the Potomac. Not too long ago, Alexandria was a fading industrial center, its economy kept afloat by tourists and antique-hunters treading the quaint brick sidewalks of colonial-era Old Town. But beginning in the early 1990s, hundreds of trade associations—drawn by the cheap office space, city-subsidized financing, and easy access to Capitol Hill—began setting up shop here. So many trade associations have flocked here during the past decade, in fact, that they've become the city's second biggest industry, producing almost as many jobs as the local tech businesses.

One of the recent arrivals is Americans for Job Security, located in a tidy brick building on the northern border of Alexandria's new white-collar sprawl. "It's so much cheaper out here than being downtown," says AJS's president, Michael Dubke, as he greets me at the front door and leads me into a nondescript conference room. Like many of its neighbors, AJS is organized as a 501(c)(6), which is to say a not-for-profit "business league" or trade organization. But as trade organizations go, it is rather unusual. Not only is the group's membership—several hundred individuals, corporations, and other trade organizations—secret, but by all appearances, the members don't share a particular line of business. Despite a budget of millions of dollars a year, AJS doesn't have the kind of public relations or policy staff that, say, the Chamber of Commerce does. In fact, Dubke, a cheerful, clean-cut 33-year-old with the rangy build of an ex-jock, is AJS's sole employee. The group has no Web site, puts out no policy briefs or press releases, and does no lobbying on the Hill.

About the only thing that AJS does is buy television, radio, and newspaper advertisements—lots of them. This is a source of pride for Dubke. "Ninety-five percent of the money that we take in membership [dues] is spent on our grassroots lobbying," he tells me, like a discount carpet salesman bragging about his low overhead. "We spend our money on product." During the hotly contested 2000 race, widely regarded asa watershed election for issue advertising, AJS spent about $9 million on political ads. A chunk of the money went towards attacking Democratic presidential candidate Al Gore for his prescription-drug plan, with ads airing in such key media markets as Spokane, Wash., and Tampa, Fla. (All told, according to a study by the Brennan Center, AJS was the most active outside group supporting Bush in 2000.) But AJS didn't stick to the presidential race. It also spent millions of dollars on behalf of Republican candidates in closely-fought Senate races in Michigan, Nebraska, and Washington. During the midterm elections two years later, with Democratic control of the Senate at stake, AJS dumped another $7 million into advertising, again mostly in key races, notably Minnesota's.

Traditional 501(c) groups run ads on a narrow set of issues important to their members. This year, for instance, the NRA might run ads attacking candidates who support extending the ban on assault weapons, while the Sierra Club might air spots against candidates who support drilling in the Arctic National Wildlife Refuge. AJS, by contrast, is more catholic in its interests. During the last two election cycles, the group's campaign ads have addressed taxes, education, tort reform, prescription drugs, immigration, dam removal in the Pacific Northwest, even federal regulation of drinking water, "basically anything we label a 'pro-paycheck' message," Dubke remarks.

Much like a political party, AJS only seems to lurch into action at election time, even if one of its many core issues is being debated in Congress at some other time. Traditional Washington trade associations expend most of their resources trying to affect the legislative process, but Dubke sees this as a waste of time. "Our main purpose is to get these public policy issues out into the debate," he told me. "I have yet to have somebody tell me when is a better time to talk about public policy issues" than during campaign season.

Aside from timing, about the only thing AJS's ads have in common is that nearly all of them attack Democrats, usually those in tight races. And although groups running "issue ads" are not supposed to coordinate with candidates, in at least some cases AJS appeared to do just that. During 2000, for example, AJS launched a massive ad campaign in support of embattled incumbent Sen. Spencer Abraham (R-Mich.). As *Newsweek* reported that year, funding for the ads came from the tech industry, which cut checks to AJS at the request of then-Senate Majority Leader, Trent Lott (R-Miss.), Abraham's mentor. In 2002, the group ran ads in Alaska, where incumbent Republican Sen. Frank Murkowski was in a tight race with the state's Democratic lieutenant governor. According to published reports at the time, AJS's ads followed a conference with Murkowksi's political consultant and used the same themes that Murkowski's own campaign was employing.

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The other shadow Party

By all appearances, AJS's main purpose is rather like that of a Democratic-leaning 527. Just as the 527s collect soft money from traditionally pro-Democratic interests and spend it to help defeat Republicans, AJS collects soft money from traditionally pro-Republican interests and spends it to defeat Democrats—but without facing any of the scrutiny the 527s do. Indeed, that's the whole idea. The Democratic shadow party has received massive press coverage during the past year, their donors demonized as shady fat cats by Bush surrogates in the conservative press. Contributors can give to the Republican 501(c)s, however, with no fear of being outed. Dubke allows that his donors include corporations, other trade associations, and individuals, but won't disclose their names (though a few, including the American Insurance Association and the American Forest and Paper Association, have gone public with their involvement). It makes sense that corporations and trade groups that give to AJS might not want their names to get out. With business on Capitol Hill, and hence a need to court Democratic members of Congress, they don't necessarily want to be seen contributing to a group that might be targeting some of those same Democrats. As Dubke puts it, "We have the ability to say things that other people might be afraid to say because they have other agendas and other interests."

Another GOP soft-money conduit is Progress for America, a self-described "national grassroots organization" that listed zero income from membership dues on its last tax return. Like many such groups, it is run by a handful of operatives with a half-degree of separation from the GOP. Its founder is Tony Feather, the political director of President Bush's 2000 campaign. Feather's own consulting firm handles direct-mail and get-out-the-vote contracts for Bush's reelection effort, the Republican National Committee, and the party's congressional campaign committees. The former political director of one of those committees, Chris LaCivita, is now executive director of PFA. The group's Web site used to describe its purpose as "supporting Pres. George Walker Bush's agenda for America," but that slogan, apparently too brazen to pass legal muster, has since been changed; now PFA supports "a conservative issue agenda that will benefit all Americans." The group hopes to raise up to $60 million in soft money this year, and has enlisted the help of some prominent Republicans to do so, including Bush's campaign manager, chief campaign counsel, and party chairman. Thus, when Bush's lawyers accuse the Democrats of organizing a "soft-money conspiracy," they know what they're talking about.

Other GOP soft-money front groups include the American Taxpayer Alliance, run by Republican operative Scott Reed, and two groups chaired by former RNC lawyer Christopher Hellmich, Americans for Responsible Government and the National Committee for a Responsible Senate. Then there's the benignly-named United Seniors Association (USA), which serves as a soft-money slush fund for a single GOP-friendly industry: pharmaceuticals. USA claims a nationwide network of more than one million activists, but, just like Progress for America, listed zero income from membership dues in its most recent available tax return. USA does, however, have plenty of money on its hands. During the 2002 elections, with an "unrestricted educational grant" from the drug industry burning a hole in its pocket, the group spent roughly $14 million—the lion's share of its budget—on ads defending Republican members of Congress for their votes on a Medicare prescription-drug bill.

So how much will these groups spend on behalf of the GOP this year? There's no way to know now, because, unlike 527s, these 501(c)s won't have to disclose their 2004 fundraising activities until 2005 at the earliest. But it's a pretty fair guess that they'll give their Democratic doppelgänger a run for its (soft) money. According to an investigation by *The Washington Monthly*, just three of the pro-GOP groups—Ameri-

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cans for Job Security, the United Seniors Association, and the American Taxpayer Alliance—spent close to $40 million dollars during 2002. And that was an off-year election. By contrast, the eight Democratic groups currently being sued by Bush's reelection campaign have raised about $50 million so far during the 2004 presidential cycle.

It's not surprising that, with Bush in office and Congress run by Republicans, the IRS isn't going after the GOP's shadow party. A greater mystery is why the press and campaign finance groups haven't blown the whistle, even as they pound away at the Democrats' 527s.

Primary colors

To the average person, it might seem that if the Democratic 527s are a cynical mechanism for evading the ban on soft money, then surely the GOP-leaning 501(c)s are even more so. How, then, does the Republican shadow party get away with it? First, while the 527s admit that their ads are meant to affect elections, the 501(c)s do not. Instead, they insist that they're running "issue ads" intended merely to rouse debate about specific issues, not get anyone elected or defeated. Legally, this is considered "grassroots lobbying," an activity on which 501(c)s can spend unlimited amounts of money.

Now, the IRS code wisely allows 501(c)s to spend some of their money on ads meant to affect elections. Otherwise, traditional membership groups like the NAACP or Concerned Women for America wouldn't be allowed to make their voices heard on a candidate's position on, say, voting rights or gay marriage. So the second legal test is whether a group's "primary purpose" is to affect elections. The Democratic 527s admit up front that electioneering is their primary purpose; indeed, that fact is built into the legal definition of a 527. But to merit 501(c) status, the GOP groups must—and do—insist that electioneering is not their primary purpose. Indeed, like most of the GOP shadow groups, AJS reports on its 2000 returns spending zero dollars on political activity.

This is a curious claim for a group like AJS to make, considering it spends 95 percent of its budget on campaign-season ads that mention candidates. Indeed, were you to compare almost any Democratic 527 spot to one run by the Republican 501(c), you would be hard pressed to explain why one is intended to influence an election and the other is not. Following the 2000 elections, University of Wisconsin political scientist Kenneth Goldstein surveyed the issue-ad campaigns run by dozens of outside groups. As part of the study, his student volunteers viewed a series of AJS spots and answered the question, "In your opinion, is the purpose of the ad to provide information about or urge action on a bill or issue, or is it to generate support or opposition for a particular candidate?" They found without exception that what they had seen fell into the second category. When I mentioned the study to Mike Dubke, he responded, "I think that's ridiculous."

So who should decide whether AJS's ads are electioneering (and, hence, whether AJS's primary purpose is or is not political)? Legally, it's up to the Internal Revenue Service. But here, the GOP has yet another advantage. Because when it comes to checking up on nonprofits, the IRS makes the notoriously lax FEC look like a band of jackbooted thugs. Given that there are 1.4 million tax-exempt organizations in the United States, and enough personnel to inspect about 2,000 of them per year, the chance of a random audit is about one in 700. In practice, the IRS rarely investigates a nonprofit unless somebody files a complaint. And even then, privacy concerns constrain the IRS from revealing whether or not it has opened an investigation, and indeed whether or not it has come to any judgment.

But even if the taxmen did decide to take a closer look at AJS, it would still be in little danger of an unfavorable ruling. Since the IRS was never intended to police

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elections, the rules governing political activity by nonprofits are extraordinarily vague. In fact, there is no bright-line test for deciding whether an activity is political in nature or whether a 501(c) organization is "primarily" engaged in electioneering activities, and thus in violation of its tax status. Instead, IRS auditors judge organizations' activities on more than a dozen criteria and decide whether or not all the "facts and circumstances" of those activities taken together "tend to show" a violation. In other words, the process is completely subjective.

AJS reports spending zero dollars on political activities in 2000--a curious claim, given that it spends 95 percent of its budget on campaign-season ads that mention candidates.

Not surprisingly, this subjectivity makes the auditing process vulnerable to political pressure. And since taking control of Congress in 1995, the GOP has done its best to frighten the IRS away from snooping around. In 1998, Senate Republicans, hoping to galvanize the anti-tax vote for the upcoming elections, staged an elaborate series of hearings featuring horror stories of abusive behavior by IRS agents. A review by the General Accounting Office would later conclude that "no evidence was found of systematic abuses by agents." But by then Congress had passed legislation that hamstrung the agency's enforcement efforts. "IRS audit activity fell off dramatically across the board" after the hearings, notes Marcus Owens, a former director of the IRS's Exempt Organizations Division. "While it has recovered somewhat for individuals and corporations, it has not recovered for tax-exempt organizations."

When the IRS does try to step up to the plate, the agency usually gets smacked down. During the late-1990s, the IRS decided to revoke the tax exemption of a charity run by former Republican congressman Newt Gingrich, after finding that Gingrich had used it as a slush fund for his political action committee. But later, under pressure from a GOP member of Congress, the IRS reopened the case and restored the group's tax exemption.

Cop out

It may not be surprising that, with President Bush in the White House and Congress run by his fellow Republicans, the IRS isn't going after the GOP's shadow party. A greater mystery is why the press and campaign finance groups haven't blown the whistle, even as they pound away at the Democrats' 527s. One reason is that—as with most things—the GOP "won the early game to define the issue," observes Simon Rosenberg of the New Democratic Network, a 527 which runs electioneering ads. "They convinced reporters that this was only about 527s." Another reason is that reformers in Washington are often like the drunk who looks for his keys not where he thinks he dropped them, but under a streetlamp, where the light is better. Because 527s must disclose their donors and expenditures every quarter, it's easier for political reporters and watchdog groups to blow the whistle on them in real time, issuing reports and press releases about the latest soft-money outrage. The 501(c)s disclose virtually nothing—and by the screwy rules of Washington, no data, no foul. "When it comes to 501(c)s, the information is so sparse that hardly anyone has ventured into this area," says Craig Holman of Public Citizen, one of the few groups that tries to keep tabs on 501(c) political activity.

Holman suggests that a first step towards minimizing this abuse is to require 501(c)s to be at least as transparent as 527s: They should disclose their donors and electioneering expenses quarterly, and the IRS should make that information available on the Web. This disclosure solution probably makes more sense than what the FEC seemed to be contemplating in April: Banning all 501(c)s from using any soft money for any political purpose, a move that might have, for example, made it impossible for nonprofits to run non-partisan voter registration drives. Not surprisingly, the FEC has backed off that idea and now seems inclined to take no action against either 501(c)s or 527s, at least until after Election Day. That's good news for the Kerry campaign, though the GOP's campaign of harassment may well have scared off some liberal donors. But it's great news for the Bush campaign, since it means that groups like AJS can continue to work their magic under the radar with far less oversight than Democratic 527s.

Should the Republican shadow party give Bush the extra artillery he needs to prevail against Kerry, the newspaper editorialists and good-government activists may someday regret the fact that they decried the Democratic shadow party while blithely ignoring the Republican version. Not because it may help get Bush reelected (what do they care?) but because it will drive the whole soft-money political economy deeper underground. Should Kerry lose, the Democratic operatives running 527s may conclude that there's little value in declaring themselves openly as electioneering outfits. Instead, they'll likely transmogrify their groups into 501(c)s. Nobody will be able to see how much money George Soros gave this quarter, or figure out who sponsored that $500,000 ad campaign in the St. Louis suburbs. Soft money won't disappear. It will just become invisible. ◆

Additional reporting for this article was provided by Jason Stevenson and Kathryn Williams

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Paralysis by Analysis

Jim Tozzi's regulation to end all regulation.

By Chris Mooney

If you stand near the fountain at the center of Dupont Circle in Washington, D.C., and gaze up at the surrounding buildings, you should be able to spot a large brass telescope in a seventh story window above Books-A-Million. The device belongs to Jim Tozzi, a former Reagan budget official, well-remunerated corporate consultant, self-described regulatory policy "nerd," and self-confessed voyeur. The telescope has become a "landmark," brags the 65-year-old Tozzi, a gleeful cut-up whose "JJT" monogrammed shirt cuffs belie his musician-jive patter. "That can get you in a lot of trouble," he adds. "I'm a dirty old man. I love it."

If Tozzi is shameless about his extracurricular activities, he's equally proud of the work that occupies his daylight hours. As the flamboyant head of an industry-funded, for-profit think tank called the Center for Regulatory Effectiveness, Tozzi has made his career in the decidedly unflamboyant field of government regulation. In the three decades or so since the Environmental Protection Agency, Occupational Safety and Health Administration, and other agencies were formed, industry has become adept both at weighing down the rulemaking process with years of preliminaries and at challenging regulations once promulgated. And for years, Tozzi—thanks to official contacts and regulatory expertise gleaned from two decades in government—has been a master of the game, gumming up the regulatory works and, as he puts it, giving environmentalists and consumer advocates "gastronomical pains."

But now Tozzi has a chance to change the rules of the game itself. With assistance from the Bush administration, a little-known statute called the "Data Quality Act"—conceived by Tozzi and passed with little debate by Congress three years ago—allows businesses to challenge not just government regulations, but the taxpayer-sponsored science which agencies rely upon to formulate these rules in the first place.

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On its face, the Data Quality Act merely requires government agencies to field complaints over the data, studies, and reports they disseminate, in order to ensure the "quality, objectivity, utility, and integrity" of the information. Though seemingly unobjectionable, this provides a new workload for agencies that could impinge upon their other duties. But it's just the beginning. The Bush administration has used the DQA as a springboard to implement an unprecedented "peer review" system for government science, a cumbersome set of protocols that was strenuously opposed by the nation's science community, which saw little in the original plan resembling standard academic peer review. (As we went to press, the White House released a revised "peer review" bulletin that appeared to respond to some of these criticisms.)

If these efforts succeed, industry groups will have a new set of tools to stop regulations before they even get started—often by using questionable scientific critiques paid for by industry to challenge legitimate science sponsored by taxpayers. "Anyone who is involved in the regulatory process knows it begins ten years or so before you ever see a rule," says William Kovacs, a Chamber of Commerce vice president who's met with Tozzi "a hundred times" to plot strategy. The Data Quality Act "allows you to begin inputting, and access the process [from] the very beginning." In fact, the act may also enable businesses to file lawsuits against agencies that reject data quality complaints, a potentially powerful new device in the deregulatory arse-

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nal that could let motivated groups head sensible regulatory changes off at the pass. "Up until the Data Quality Act, the courts almost uniformly held you couldn't get judicial review of government reports," says law professor Sidney Shapiro of the University of Kansas, a member scholar of the Center for Progressive Regulation.

Already, Tozzi's Data Quality Act has led to suits challenging a government report on climate change and a National Institutes of Health study on diet, both of which represent state-of-the-art scientific work in their fields. The latter suit was recently filed by the Chamber of Commerce and the Salt Institute, an industry group, as a strategic test case to establish judicial review under the Data Quality Act. Slowly, Tozzi and allies are laying the groundwork for a broader assault on the regulatory state. Data quality, says Kovacs, is going to have "a revolutionary impact on the regulatory process."

Science friction

Tozzi's realm is a subterranean world of arcane rules and obscure alphabet-soup agencies. A self-described "market-based conservative," he's become a master of helping companies challenge the scientific underpinnings of government rules by zooming in, telescope-like, on alleged flaws in individual studies. Tozzi says he's trying to "regulate the regulators"—blocking agencies from releasing weak data or questionable information. Yet most of the studies that Tozzi and his allies challenge are actually pretty reliable.

An economics Ph.D. who hung around New Orleans until he realized he'd never make it playing jazz, Tozzi began his Washington stint in 1964, reviewing regulations at the Army Corps of Engineers. Having established a reputation as "that nerd over there in the Pentagon that really likes to review rules," as he puts it, Tozzi later joined the Office of Management and Budget during the Nixon administration. Tasked with scrutinizing regs churned out by the newly-created Environmental Protection Agency, he became infamous for second-guessing the agency's enforcement efforts. Environmentalists would ask, "Christ, who's running EPA—Tozzi?", he recalls with a cackle. Tozzi stayed at the budget office through the election of Ronald Reagan, who named him deputy head of a new OMB division dedicated to overseeing proposed regulations. Soon enough, Tozzi's domain became known as the "black hole" of the regulatory process for its reputation of sucking in rules proposed by agencies and never letting them see light again. He earned the nickname "Stealth." "I don't want to leave fingerprints," he once told *The Washington Post.*

In 1983, after 20 years of learning how to induce regulatory sclerosis from the inside, Tozzi set up a consulting shop—Multinational Business Services—to do it from the outside. MBS clients have included everyone from chemical companies to tire and rubber manufacturers, but Tozzi's most controversial client was undoubtedly the tobacco industry, which during the 1990s sought to battle the emerging scientific consensus that secondhand smoke was a danger to those who were over-exposed to it, particularly people living or working with smokers. One of tobacco's strategies was to advocate standards for "good epidemiology" that would have made it almost impossible to conclude that secondhand smoke was dangerous. These standards insisted that unless secondhand smoke doubled your risk of getting cancer, it should be ignored—a standard, notes tobacco researcher Stanton Glantz of the University of California-San Francisco, that would bar regulation of nearly any environmental toxin.

Tozzi played a key part in this push, earning hundreds of thousands of dollars from Philip Morris for such activities as supporting "legislative mandates on epidemiological standards" and increasing "debate on [secondhand smoke] risk assessment within EPA," according to internal company documents. In one instance, Tozzi deployed a phalanx of lobbyists to his old haunts at the OMB to block the implementation of a government medical code, used for Medicare and Medicaid claims, that tracked secondhand smoke illnesses. By presenting itself as "a defender of good science, not tobacco," noted the *Los Angeles Times* in a 1995 article, Tozzi's company succeeded in getting the rule changed—an obscure but major victory for his client. As he explains today, had the government been allowed to accumulate such statistics, tobacco firms "could have been subject to tons of legal actions saying, 'Look at all these illnesses caused by secondary smoke.'"

Although Tozzi says tobacco companies are no longer contributing to the Center for Regulatory Effectiveness (founded in 1996), the fight over secondhand smoke was very much a warm-up for his later efforts. Among other work he did for Philip Morris during the mid- and late-1990s, Tozzi circulated information and proposals concerning two pieces of legislation. The first, a "data access" law, would allow interested parties to obtain, under the Freedom of Information Act, "all data produced" by any publicly funded scientific study. The second was the Data Quality Act (though Tozzi insists it was originally his idea and that other industries besides tobacco were interested as well). Together, the proposals would allow regulated companies to conduct detailed internal audits of unfavorable studies—and then battle to stop those unfavorable studies from getting translated into unfavorable regulation.

By the end of the 1990s, as formerly obscure government studies became widely and easily obtainable on agency Web sites—sometimes affecting a firm's stock valuation simply by being posted—business groups and their GOP allies made a concerted effort to make Tozzi's proposals a reality. And instead of calling for the kind of massive "regulatory reform" campaign that had fizzled in 1995, they took a backdoor approach, attaching Tozzi's proposals to must-pass appropriations bills. The data access amendment, also known as the "Shelby Amendment" for its sponsor Richard Shelby (R-Ala.), was passed in 1998, and subsequently minimized in

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scope by a wary Clinton administration. The Data Quality Act rolled through three years ago, and was welcomed with open arms by the Bushies. Now Tozzi's timebomb sits waiting to detonate. In the end, says Kovacs, "what we're going to get is far more than we could have ever gotten by having a comprehensive regulatory law passed."

Over the past few decades, business interests have spawned an entire infrastructure to generate so-called "counter research," exploiting the nuance and openness inherent to good science in order to "manufacture uncertainty" where little exists.

Quality act

Business groups haven't wasted much time making use of Tozzi's labors. Last August, the Competitive Enterprise Institute, a conservative think tank partly funded by the energy industry, filed suit under the Data Quality Act over a Clinton-era report on global warming, known as the National Assessment of Climate Change. Though the suit was ultimately settled out of court, government lawyers agreed to attach a disclaimer to the report stating that it was "not subjected" to the Data Quality Act. There's little evidence that the study was flawed. But the suit appears to have given the Bush administration a pretext to ignore the National Assessment when it issued its own 10-year plan on climate change research in June of 2003.

More recently, in September of 2003 Tozzi submitted a data quality complaint challenging the government's intent to use a World Health Organization report in assembling U.S. dietary guidelines. The WHO report called for individuals to cut dietary intake of so-called "free sugars"—a recommendation considered utterly uncontroversial among mainstream nutritionists, but sharply opposed by the sugar industry, which stood to lose a fortune if the WHO used the report to bolster a global anti-obesity strategy. (Tozzi admits his petition was filed on behalf of "somebody in the food business," but declined to be more specific.) Here, too, "data quality" was merely a cudgel by which to block the government from considering good science when making policy.

Tozzi likes to point out that the act has not gummed up the federal regulatory system with challenges, as some environmentalists feared. But that may not last for long. Even now, Tozzi and his allies are preparing to expand the act's scope by making agency rejection of a data quality complaint grounds for a lawsuit. "Somebody has to test whether it's judicially reviewable," says Kovacs. If they succeed, they'll have created two new entry points into the regulatory process. Industry groups will not only be able to saddle agencies with scientific complaints over their studies that could be costly and time-consuming to answer. They'll also be able to force agencies to defend their responses in court. Hence the term Tozzi's critics often apply to his type of strategy: "Paralysis by analysis."

Tozzi also points out that the Data Quality Act can be used by anybody. And to be sure, a few opportunistic environmental groups have filed data quality complaints with agencies. Most of the current challenges, however, have been brought by industry, which shouldn't come as much of a surprise. Over the past few decades, business interests have spawned an entire infrastructure to generate so-called "counter research," exploiting the nuance and openness inherent to good science in order to "manufacture uncertainty" where little exists. Now that capacity can be deployed not only at the back end of the regulatory process—the P.R. battles waged in the popular and scientific press—but also at the front end, before regulators can get their shoes on.

Tozzi himself insists that he doesn't have anything against government or bureaucrats—after all, he used to be one. He says he just wants government to run more efficiently, and believes that "if you intervene in the market, there should be a compelling need to do so, and you should demonstrate that." But while there are no doubt some bureaucrats who live to stick it to big business, the Data Quality Act is transparently a solution in search of a problem. As legal scholar Wendy Wagner of the University of Texas pointed out in a recent article entitled "The 'Bad Science' Fiction," there's little evidence to support the notion that government agencies churn out "junk science" or that their existing peer review protocols are inadequate. The Center for Regulatory Effectiveness, Wagner charges, "provides virtually no evidence to support its assumption that a bad-science problem exists."

Tozzi's timebomb

That hasn't stopped Tozzi from seeking to increase the Data Quality Act's scope in a variety of ways. He's written letters both to the WHO and universities warning that if they want their science to influence the U.S. government, it had better meet data quality standards. In one controversial letter, Tozzi even invoked the Data Quality Act in an attempt to disallow comments submitted to the Environmental Protection Agency by an environmental group.

Most importantly, he's drafted sample legislation for states. Near the close of a long interview in his spacious office, Tozzi stands up, saunters past his piano and a globe containing a hidden alcohol stash, and collects from his desk a sheet of paper that he's been saving for me. The state of Wisconsin, Tozzi says, has adopted a version of the Data Quality Act. "It's like kudzu, baby," says Tozzi. "You can spray it, shoot it—here," he says, handing over the text of the act. "Now there'll be a whole rumor mill around Washington," he continues. "There's that goddamn Tozzi…." ◆

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Broken Engagement

The strategy that won the Cold War could help bring democracy to the Middle East—if only the Bush hawks understood it.

By Gen. Wesley Clark

During 2002 and early 2003, Bush administration officials put forth a shifting series of arguments for why we needed to invade Iraq. Nearly every one of these has been belied by subsequent events. We have yet to find any weapons of mass destruction in Iraq; assuming that they exist at all, they obviously never presented an imminent threat. Saddam's alleged connections to al Qaeda turned out to be tenuous at best and clearly had nothing to do with September 11. The terrorists now in Iraq have largely arrived because we are there, and Saddam's security forces aren't. And peace between Israel and the Palestinians, which prominent hawks argued could be achieved "only through Baghdad," seems further away than ever.

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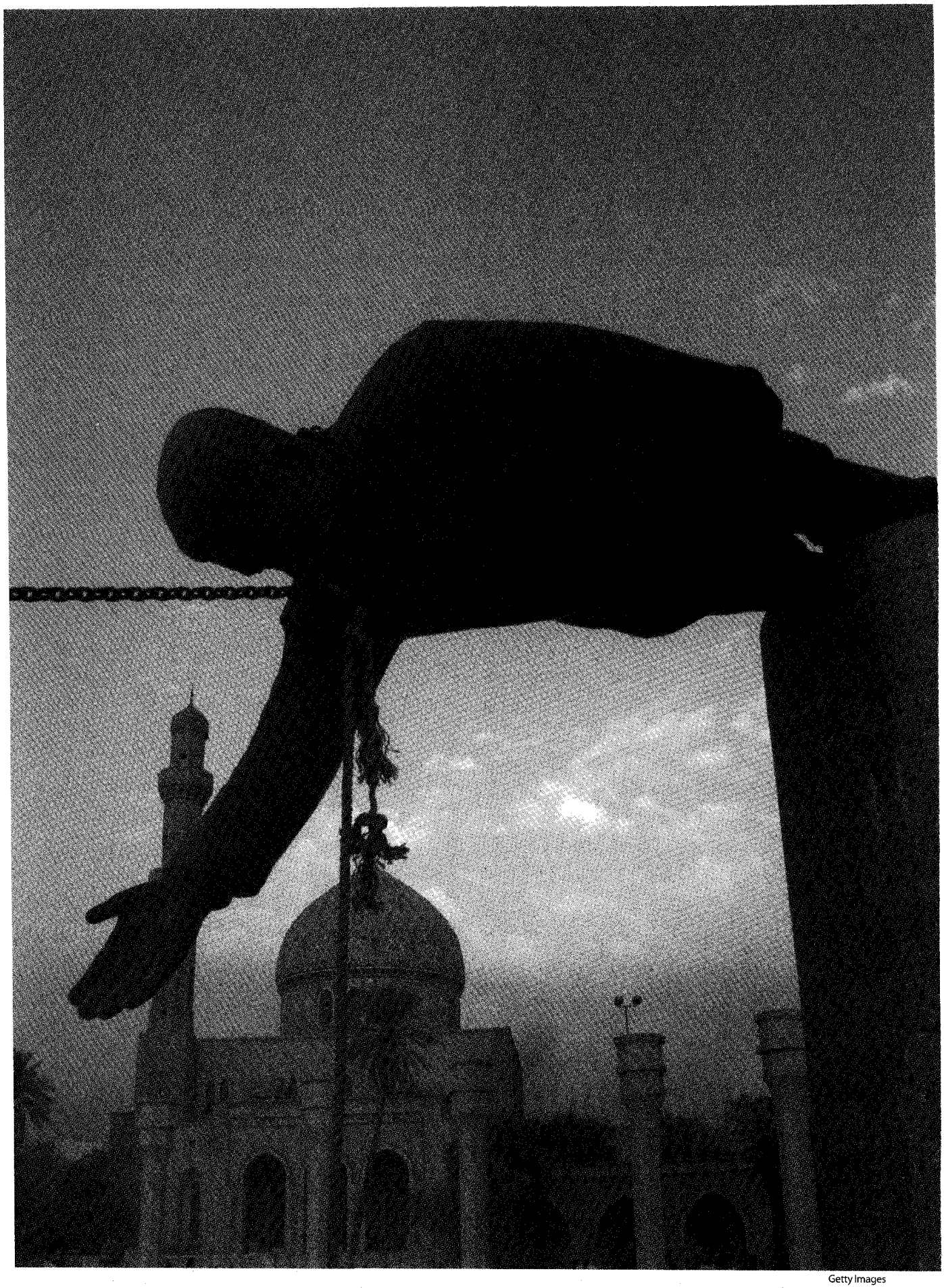

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Advocates of the invasion are now down to their last argument: that transforming Iraq from brutal tyranny to stable democracy will spark a wave of democratic reform throughout the Middle East, thereby alleviating the conditions that give rise to terrorism. This argument is still standing because not enough time has elapsed to test it definitively—though events in the year since Baghdad's fall do not inspire confidence. For every report of a growing conversation in the Arab world about the importance of democracy, there's another report of moderate Arabs feeling their position undercut by the backlash against our invasion. For every example of progress (Libya giving up its WMD program), there's an instance of backsliding (the Iranian mullahs purging reformist parliamentarians).

What is certainly true is that any hope for a "domino theory" rests with Iraq's actually becoming something that resembles a stable democracy. But here, too, there has been little progress. Despite their heroic efforts, American soldiers have been unable to make the country consistently stable and safe. Iraq's various ethnic entities and political factions remain deeply divided. Even the administration has concluded that the U.S.-appointed Iraqi Governing Council lacks credibility with the ordinary Iraqis it is intended to represent. The country's reconstituted security forces have been ineffectual—indeed, in some cases, they have joined the armed resistance to our occupation. The ease with which the demagogue Muqtada al-Sadr brought thousands to the streets and effectively took over a key city for weeks has sparked fears that an Iranian-style theocracy will emerge in Iraq. And the American and Iraqi civilian death tolls continue to mount.

Whether or not you agreed with the president's decision to invade Iraq—and I did not—there's no doubt that America has a right and a duty to take whatever actions are necessary, including military action, to protect ourselves from the clear security threats emanating from this deeply troubled part of the world. Authoritarian rule in these countries has clearly created fertile ground for terrorists, and so establishing democratic governance in the region must be seen as one of our most vital security goals. There is good reason, however, to question whether the president's strategy is advancing or hindering that goal.

President Bush's approach to Iraq and to the Middle East in general has been greatly influenced by a group of foreign-policy thinkers whose defining experience was as hawkish advisors to President Reagan and the first President Bush, and who in the last few years have made an explicit comparison between Middle Eastern regimes and the Soviet Union. These neoconservatives looked at the nest of problems caused by Middle East tyranny and argued that a morally unequivocal stance and tough military action could topple those regimes and transform the region as surely as they believed that Reagan's aggressive rhetoric and military posture brought down the Soviet Union. In a March 2002 interview on CNN, Deputy Secretary of Defense Paul Wolfowitz, one of the main architects of the Iraq war, argued that the moral judgment that President Bush made "very clear, crystal clear in his State of the Union message" in which he laid out the Axis of Evil is "exactly the same kind of clarity, I think, that Ronald Reagan introduced in understanding the Soviet Union." In a speech last year, Defense Department advisor Richard Perle made the comparison even more explicit: "I have no doubt that [Bush] has the vision that Ronald Reagan had, and can envision, can contemplate change on a very large scale in Iraq and elsewhere across the region."

This dream of engineering events in the Middle East to follow those of the Soviet Union has led to an almost unprecedented geostrategic blunder. One crucial reason things went wrong, I believe, is that the neoconservatives misunderstood how and why the Soviet Union fell and what the West did to contribute to that fall. They radically overestimated the role of military assertiveness while underestimating the value of other, subtler measures. They then applied those theories to the Middle East, a region with very different political and cultural conditions. The truth is this: It took four decades of patient engagement to bring down the Iron Curtain, and 10 years of deft diplomacy to turn chaotic, post-Soviet states into stable, pro-Western democracies. To achieve the same in the Middle East will require similar engagement, patience, and luck.

Inspiring smoke screens

Just as they counseled President Bush to take on the tyrannies of the Middle East, so the neoconservatives in the 1980s and early 1990s advised Presidents Reagan and George H.W. Bush to confront the Soviet Union and more aggressively deploy America's military might to challenge the enemy. As an Army officer in and out of Washington, I met many who would later star in the neoconservative movement at conferences and briefings. They're rightly proud of

Gen. Wesley Clark, U.S.A. (Ret.), was Supreme Allied Commander, Europe, from 1997-2000, and a candidate for the Democratic nomination for president in 2004.

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serving under Ronald Reagan, as I am. And as someone who favored a strong U.S. role abroad, I received a good deal of sympathy from them. As has been well documented, even before September 11, going after Saddam had become a central issue for them. Their Project for a New American Century seemed intent on doing to President Clinton what the Committee on the Present Danger had done to President Carter: push the president to take a more aggressive stand against an enemy, while at the same time painting him as weak.

September 11 gave the neoconservatives the opportunity to mobilize against Iraq, and to wrap the mobilization up in the same moral imperatives which they believed had achieved success against the Soviet Union. Many of them made the comparison direct, in speeches and essays explicitly and approvingly compared the Bush administration's stance towards terrorists and rogue regimes to the Reagan administration's posture towards the Soviet Union.

For them, the key quality shared by Reagan and the current President Bush is moral clarity. Thus, for instance, long-time neoconservative writer and editor Norman Podhoretz, after noting approvingly that Bush's stark phrase "Axis of Evil" echoes Reagan's "Evil Empire," wrote in *Commentary* magazine: "The rhetorical echoes of Reagan reflected a shared worldview that Bush was bringing up to date now that the cold war was over. What Communism had been to Reagan in that war, terrorism was to Bush in this one; and as Reagan had been persuaded that the United States of America had a mission to hasten the demise of the one, Bush believed that we had a mission to rid the world of the other."

In the neoconservative interpretation, Reagan's moral absolutism allowed him to take on the Soviet Union by any means necessary: Because he recognized the supreme danger the Soviets posed, he was willing to challenge it with a massive military buildup. In this understanding, the moral equivocation of Carter and his predecessors left them satisfied with the failed, halfway strategy of containment. Only when Reagan changed the moral template of the conflict, their argument goes, was America able to get past the weak pieties of containment and rid the world of Soviet tyranny.

Likewise, as Perle has argued, Bush's moral certainty allowed him to recognize Islamic tyranny for what it was (a manifestation of evil) and unfetter American might to defeat it, which meant deploying the military to enact regime change. "Had we settled for containment of the Soviet Union," Perle wrote in December 2002, "it might still be in business today. Are we—and millions of former Soviet citizens—not better off because the United States went beyond mere containment and challenged the legitimacy of a totalitarian Soviet Union? The ideological and moral challenge to the Soviet Union that was mounted by the Reagan administration took us well beyond containment. If containment means that a country such as Iraq, that is capable of doing great damage, is left unhindered to prepare to do that damage, then we run unnecessary, foolish and imprudent risks."

In justifying his policy towards Iraq, Bush himself echoed Perle.

"Moral clarity," President Bush said in his 2002 commencement address to the U.S. Military Academy, "was essential to our victory in the cold war. When leaders like John F. Kennedy and Ronald Reagan refused to gloss over the

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brutality of tyrants, they gave hope to prisoners and dissidents and exiles and rallied free nations to a great cause … We are in a conflict between good and evil, and America will call evil by its name. By confronting evil and lawless regimes, we do not create a problem, we reveal a problem." Never mind that the regime the administration was most intent on confronting was the one in the region that had perhaps the least to do with the events of September 11 or the immediate terrorist threat.

And the neoconservative goal was more ambitious than merely toppling dictators: By creating a democracy in Iraq, our success would, in the president's words, "send forth the news from Damascus to Tehran—that freedom can be the future of every nation," and Iraq's democracy would serve as a beacon that would ignite liberation movements and a "forward strategy of freedom" around the Middle East.

This rhetoric is undeniably inspiring. We should have pride in our history, confidence in our principles, and take security in the knowledge that we are at the epicenter of a 228-year revolution in the transformation of political systems. But recognizing the power of our values also means understanding their meaning. Freedom and dignity spring from within the human heart. They are not imposed. And inside the human heart is where the impetus for political change must be generated.

The neoconservative rhetoric glosses over this truth and much else. Even aside from the administration's obvious preference for confronting terrorism's alleged host states rather than the terrorists themselves, it was a huge leap to believe that establishing democracies by force of Western arms in old Soviet surrogate states like Syria and Iraq would really affect a terrorist movement drawing support from anti-Western sentiment in Saudi Arabia, Pakistan, and elsewhere.

Perhaps most fundamentally, the conditions of the Middle East today are vastly different from those behind the Iron Curtain in 1989. And the fact is that the Soviet Union did not fall the way the neoconservatives say it did.

Red herring

The first thing to remember about American policy towards the Soviet Union is that we never directly invaded any nation under Soviet control. In the early 1950s, some in America saw the expansion of communism as an inevitability which must not only be resisted by force but also rolled back. And for a time during the Eisenhower administration, there was brave rhetoric about such an effort. Struggling resistance movements survived from year to year in the Baltics, Romania, and the Ukraine. And immigrant dissident groups in the United States kept up the political pressure on Washington to consider a more confrontational strategy. But any real prospect of rollback died as Soviet tanks crushed the Hungarian Revolution in 1956.

Instead, the foreign policy consensus coalesced around containment, an idea which had been in the air since the early post-war period, when George Kennan, then a veteran American diplomat, published his seminal *Foreign Affairs* article "The Sources of Soviet Conduct." Kennan argued that the Soviet system contained within it "the seeds of its own decay." During the 1950s and 1960s, containment translated that observation into policy, holding the line against Soviet expansion with U.S. military buildups while quietly advancing a simultaneous program of cultural engagement with citizens and dissidents in countries under the Soviet thumb.

These subtler efforts mattered a great deal. The 1975 Helsinki Accords proved to be the crucial step in opening the way for the subsequent peaceful democratization of the Soviet bloc. The accords, signed by the Communist governments of the East, guaranteed individual human and political rights to all peoples and limited the authority of governments to act against their own citizens. However flimsy the human rights provisions seemed at the time, they provided a crucial platform for dissidents such as Russian physicist Andrei Sakharov. These dissidents, though often jailed and exiled, built organizations that publicized their governments' many violations of the accords, garnering Western attention and support and inspiring their countrymen with the knowledge that it was possible to stand up to the political powers that be.

With the rise of the Solidarity movement in Poland in the 1980s, it became clear once more that it would be the demands of native peoples, not military intervention from the West, that would extend democracy's reach eastward. Step by step, the totalitarian governments and structures of the East lost legitimacy in the eyes of their own citizens and elites. The United States and Western Europe were engaged, of course, in assisting these indigenous political movements, both directly and indirectly. Western labor unions, encouraged by their governments, aided the emergence of a democratic trade union movement, especially in Poland. Western organizations provided training for a generation of human-rights workers. Western broadcast media pumped in culture and political thought, raising popular expectations and undercutting Communist state propaganda. And Western businesses and financial institutions entered the scene, too, ensnaring command economies in Western market pricing and credit practices. The Polish-born Pope John Paul II directed Catholic churches in Eastern Europe and around the world to encourage their congregants to lobby for democracy and liberal freedoms.

Such outreach had profound effects, but only over time. In his new book, *Soft Power*, the defense strategist Joseph Nye tells the story of the first batch of 50 elite exchange students the Soviet Union allowed to the United States in the 1950s. One was Aleksandr Yakovlev, who became a key advocate of glasnost under Gorbachev. Another, Oleg Kalugin, wound up as a top KGB official. Kalugin later said: "Exchanges were a Trojan horse for the Soviet Union. They played a tremendous role in the erosion of the Soviet system...they kept infecting more and more people over the years."

Of course, military pressure played a vital role in making containment work. But we applied that pressure in concert with allies in Europe. In the 1980s, for instance, President Reagan began the deployment of intermediate range missiles in

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Europe as part of NATO. It was a political struggle in the West, but we engaged NATO and made it work.

Rising Soviet defense spending aimed at competing with the United States may have hastened the economic decline in the Soviet Union, helped convince the Russian generals that they couldn't compete with U.S. military technology, and strengthened Gorbachev's hand as he pushed for glasnost. But this end-game challenge of Reagan's would have been ineffective had 40 years of patient Western containment and engagement not helped undermine the legitimacy of the Communist regime in the eyes of its subjects. It was popular discontent with economic, social, and political progress, and people's recognition of an appealing alternative system, that finished off the repressive regimes of Eastern Europe, and eventually the whole Soviet Union. No Western threat of force or military occupation forced their collapse. Indeed, subsequent examination by Germany's Bundeswehr has shown that the East German military remained a disciplined conscript organization that could have effectively responded to Western intervention. But these governments were unable to resist focused, strongly-articulated popular will.

What the West supplied to the people of the East was, as former Solidarity leader and Polish Foreign Minister Bronislaw Geremek told me, very simple: hope. They knew there was a countervailing force to the occupying Soviet power which had repressed them and subjugated their political systems. Democracy could reemerge in Central and Eastern Europe because of a several decades-long dance between popular resistance and cautious Western leaders who moved ever so carefully to provide support and encouragement without provoking the use of repressive force by the Communist governments in reaction or generating actual armed conflict between East and West.

So, when Ronald Reagan called the Soviet Union an "Evil Empire," or stood before crowds in Berlin and proclaimed "Mr. Gorbachev, tear down this wall," he was reaching a receptive audience on the other side of the wall. The neoconservatives persist in seeing a vast difference between Reagan's policy of confronting the Soviets and previous American administrations' tack of containing it. In fact, it was precisely those decades of containment and cultural engagement that made Reagan's challenge effective.

A long way from Prague

Bush, of course, has accompanied his invasion of Iraq with similarly bold and eloquent rhetoric about the prospect of peace and democracy throughout the Arab world. But it is hard to exaggerate how differently his words and deeds have been received in the Middle East, compared to Reagan's behind the Iron Curtain. While heartening some advocates of democracy, Bush's approach has provoked perhaps the fiercest and most alarming anti-American backlash in history. To take but one example, a March poll conducted by the Pew Center found that the percentage of people in Muslim countries who think suicide bombings are justified has grown by roughly 40 percent since the American occupation of Iraq. Even the most Western-friendly, pro-democratic media outlets in countries such as Jordan and Lebanon now openly question whether the Americans are anti-Islamic crusaders bent on assisting the Israeli occupiers of Palestine. This is a long way from Prague, circa 1989.

The reaction of the Middle East to America's invasion of Iraq should hardly have been surprising. Only willful blindness could obscure the obvious fact that the political and cultural conditions in the Middle East are profoundly different than those in the states of the former Soviet Union and Warsaw Pact. To one degree or another, the values and forms of democracy were part of the historic culture of the states of Central and Eastern Europe: There were constitutions and parliaments, in one form or another, in the Baltic States, Hungary, Czechoslovakia, and elsewhere before World War II. In some cases, these precedent experiences with democracy dated back into the 19th century.

This is evidently not the case in the Middle East. The Enlightenment never much penetrated the Ottoman frontiers, and so the great conflicts of faith versus reason and the value of each individual and his conscience which defined Western civilization were largely screened out there. Modern states in the Middle East emerged after the Ottoman Empire crumbled, and except in the cases of Turkey and Lebanon, there was nothing comparable to a Western democracy. Instead, "state socialism" was eventually imposed upon tribal and colonial heritages in many Arab states—replacing the Ottoman Empire with Western-drawn boundaries, authoritarian rulers, and, at best, pseudo-democratic institutions. Through it all, Islam—with its commingling of secular and religious authorities, and the power of its mullahs and its more fundamentalist, anti-Western sects—remained a significant force. As the example of Iran shows, elections and parliaments can be subverted by other means of control.

Nor is the desire for Western culture anywhere near as pronounced in the Middle East as it was behind the Iron Curtain. At the height of glasnost, American rock'n'roll bands toured the Soviet Union, playing to sold-out arenas of fans. By contrast, even many educated Muslims, who resent the yoke of tyranny under which they live, find much of American culture shocking and deplorable. Central European countries had enjoyed a culture of secular education and Western music and art dating at least to the late Renaissance, privileges and luxuries that ordinary citizens fought for centuries to gain access to. For much of the population of Central Europe, the Soviet darkness which descended in the late 1940s was something so fundamentally alien to the underlying culture that its overthrow can in hindsight be seen as close to inevitable. In the Middle East, periods of cultural openness can only be found in the fairly distant past.

Finally, the peoples of Central and Eastern Europe, the Caucasus, and Central Asia felt the extra sting of being ruled by an outside imperial force—Russia. By contrast, the tyrants of the Middle East, like Assad in Syria, the Al Sa'ud dynasty in Saudi Arabia and, indeed, Saddam Hussein, are all locally grown and can draw on some amount of nationalism for

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support. The imperial powers that most residents of the Middle East remember are, in fact, Western powers. And today's Western governments, including the United States, have long supported these Middle East strongmen. Whether we should have or should continue to do so is open to debate. What is not is that our sponsorship of these regimes has made the citizens less willing to believe our intentions are honorable. This is made all the more difficult because our strongest ally in the region, Israel, is seen by most Arabs as the enemy. It is then perhaps not surprising that opinion poll after opinion poll has shown that Osama bin Laden is far more popular among potential voters in Islamic states than George W. Bush.

Arab people power

Seeking to intervene and essentially impose a democracy on a country without real democratic traditions or the foundations of a pluralist society is not only risky, it is also inherently self-contradictory. All experience suggests that democracy doesn't grow like this. But we are where we are, and we must pull together to try to help this project succeed.

First, and most obviously, we need to avoid an impending disaster in Iraq. The current situation there is not only alarming in itself, but may also be creating a negative rather than positive dynamic for democracy in the Middle East. In the short term, we must significantly increase U.S. troop strength to restore and maintain stability. In the medium term, our European allies must share the burden—which will only happen if we share decision-making with them. And in the long term, we must draw down U.S. troops. A massive American military presence in the heart of the Middle East, after all, can only increase support for terrorism and undercut the position of indigenous pro-Western reformers.

We must also recommit ourselves to a real peace process between Israelis and Palestinians. We should measure success on the progress we make, not merely on final resolution. We must also recognize that here, the neoconservatives had it backwards: The "road to Jerusalem" didn't run through Baghdad at all; rather, until real progress is made towards resolving the Israeli-Palestinian issue in a way that respects both sides, all American efforts to work within the region will be compromised.

Democracy and freedom have been ascendant in most parts of the world for at least the last 15 years, and it's hard to imagine that they aren't also destined to take root in the Middle East. But to play a constructive role in bringing this about, we must understand the facts on the ground and the lessons of history clearly. Our efforts should take into account not just the desire for freedom of those in the Middle East, but also their pride in their own culture and roots and their loyalty to Islam. We should work primarily with and through our allies, and be patient as we were during the four decades of the Cold War. More than anything else, we should keep in mind the primary lesson of the fall of the Soviet Union: Democracy can come to a place only when its people rise up and demand it.

Instead of brandishing military force and slogans about democracy, we must recognize what our real strengths and limitations are. In this part of the world, American power and rhetoric tend to produce countervailing reactions. Demands and direct action are appropriate in self-defense, but in a region struggling to regain its pride after centuries of perceived humiliation by the West, we should speak softly whenever possible. If we really want to encourage forms of government to emerge which we believe will better suit our own interests, then we have to set a powerful example and act indirectly and patiently—even while we take the specific actions truly necessary for our self-defense.

We should also recognize that it is not merely democracy itself—a popular vote to elect a government—that we seek for the Middle East, but rather more enlightened, tolerant, and moderating decisions and actions from governments. The tolerance, aversion to aggression, and openness which we hope to see emerge from a democratic transformation in the Middle East will require much more than just censuses, election registers, polling booths, and accurate ballot counts. We must avoid what Fareed Zakaria calls "illiberal democracy," governments which are elected but which routinely ignore constitutional limits on their power and deprive their citizens of basic rights and freedoms. Only by creating a system of pluralistic and overlapping structures and institutions that check the power of their leaders can the nations of the Middle East avoid this fate.

Any attempt to build democracy in the Islamic world must begin by taking into account Islam itself, the region's major source of culture, values, and law. There has been no "Protestant reformation" within the Muslim world. The teachings of the Koran tend to reflect an absolutism largely left behind in the West. When Secretary of Defense Donald Rumsfeld announced that he would not accept the emergence of a theocratic state within Iraq, he gave voice to a profound concern: that even in Iraq, one of the more secularized Arab states, the majority of people look to Islam for their values and beliefs. (Indeed, Saddam himself in his final years in power increasingly turned to religious rhetoric to shore up support among his impoverished people). Inevitably, any lasting constitution there must entail compromises that reflect popular values. Hopefully, a form of government can emerge that reflects Islamic notions of rights, responsibilities, and respect but that is also representative in nature, reflects popular sovereignty, and retains the capacity to make pragmatic decisions.

There are, after all, some reasons to be optimistic. One Islamic country in the Middle East that has made the transition to democracy is Turkey. But it did not do so overnight. After decades of tight military supervision of the political process, during which the United States and Western Europe embraced the country as part of NATO and urged subtle reforms, Turkey has only within the last few years overcome the last obstacles to full democracy. Spurred by a broad national desire to join the European Union, Turkish voters approved constitutional amendments which, among other things, separated the Turkish military from politics,

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and today an avowedly democratic but openly religious party runs the government and enjoys strong popular support. Algeria, a country only recently racked by fundamentalist violence, has taken tentative steps in this direction, as have Jordan and Bahrain.

Nowhere in the Middle East has the public demand for freedom been more striking than in Cyprus, 60 miles from the Syrian coast. For 30 years, the Christian Greek and Muslim Turkish sides of the island have been divided by a 120-mile "green line," the equivalent of the Berlin Wall. Last month, 40,000 Turkish citizens (a fifth of the population of the Turkish portion of the island) marched against their long-time authoritarian leader, Rauf Denktash, in favor of a U.N.-drafted unification plan with the Greek side. This upwelling of popular demand was not the result of American military action; the protests were only the latest in a series that started long before the U.S. invasion of Iraq. What motivated the Turkish Cypriots was a simple desire for a better life. The Greek side of the island will be joining the European Union next month. Citizens on the Turkish side didn't want to be left behind. Indeed, 65 percent of them voted for the U.N. plan (though the Greek side rejected it).

We must do everything we can to encourage others in the Middle East to do as the Turks of Cyprus have: to step forward and demand change. We must strengthen the liberal institutions in these countries and aid embryonic pro-democracy movements, using every tool we have and creating some new ones. In this effort, we will have to rely heavily on the proven capacities of groups one step removed from the U.S. government, such as the National Endowment for Democracy, the National Democratic Institute, and the International Republican Institute. But I also believe there is a need for a cabinet- or sub-cabinet level agency designed to support and evaluate the kind of political and economic development efforts that can prevent later crises and conflicts. This will require substantial budget authority as well as research, development, and operational responsibilities.

We must also recognize that to be successful, we're going to need our European allies. Europe is closer to the Middle East geographically and more enmeshed with it economically. It is home to millions of Middle Eastern immigrants, who are a natural bridge across the Mediterranean. It is not so strongly associated with Israel in the minds of Arabs as we are. And yet, its very proximity gives Europe at least as much incentive as we have to fight terrorism and work for a stable, democratic Middle East. This makes the Bush administration's belittling and alienating of Europe all the more perplexing.

With Europe as our partner, we can also think more ambitiously and inventively than we can alone. One possibility is to offer select Middle Eastern countries the chance at membership in our most valuable alliances and organizations—the incentive that roused the Turkish Cypriots. The desire for the benefits of joining alliances like the European Union are there. I remember a conversation I had in 1998 with King Hassan of Morocco. He told me of his desire to join the European Union in order to have the European highway system extended into his country. Realistically, neither the European Union nor NATO will be in a position to expand for many years to come, having recently added many new members. But it should be possible to create adjunct regional organizations or associate memberships, such as the "Partnership for Peace" program that brought former Warsaw Pact countries into NATO's orbit. Middle East countries that sign up would get certain commercial and security benefits in return for shouldering responsibilities and making democratic reforms.

The Bush administration seems to understand the potential of this approach, even as its own unilateralist impulses undermine the possibility. Late last year, senior administration officials began talking about a "Greater Middle East Initiative" in which Western nations would offer Arab and South Asian countries aid and membership in organizations such as the WTO in exchange for those countries' making democratic reforms. It was exactly the right tack but required a subtle, consensus-building approach to implement. Yet instead of consulting with Islamic countries and with European allies who had been making similar plans, the administration developed the plan all on its own, in secret, and when a copy was leaked to the Arab press, it caused a predictable backlash. Europeans groused and Arab leaders with no interest in democratic reform used the fact that America had developed the plan unilaterally as a convenient excuse to reject it out of hand. The State Department had to send diplomats out to do damage control so that the president can talk about the idea in a series of speeches next month.

We need to take the American face off this effort and work indirectly. But there are some American faces that can be enormously useful. Among our greatest assets during the Cold War were immigrants and refugees from the captive nations of the Soviet Union. Tapping their patriotism toward America and love of their homelands, we tasked them with communicating on our behalf with their repressed countrymen in ways both overt and covert, nursing hopes for freedom and helping to organize resistance. America's growing community of patriotic Muslim immigrants can play a similar role. They can help us establish broader, deeper relationships with Muslim countries through student and cultural exchange programs and organizational business development.

We can't know precisely how the desire for freedom among the peoples of the Middle East will grow and evolve into movements that result in stable democratic governments. Different countries may take different paths. Progress may come from a beneficent king, from enlightened mullahs, from a secular military, from a women's movement, from workers returning from years spent as immigrants in Western Europe, from privileged sons of oil barons raised on MTV, or from an increasingly educated urban intelligentsia, such as the nascent one in Iran. But if the events of the last year tell us anything, it is that democracy in the Middle East is unlikely to come at the point of our gun. And Ronald Reagan would have known better than to try. ◆

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Rolling Blunder

How the Bush administration let North Korea get nuke

By Fred Kaplan

Illustrations by Taylor Jones

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On Oct. 4, 2002, officials from the U.S. State Department flew to Pyongyang, the capital of North Korea, and confronted Kim Jong-il's foreign ministry with evidence that Kim had acquired centrifuges for processing highly enriched uranium, which could be used for building nuclear weapons. To the Americans' surprise, the North Koreans conceded. It was an unsettling revelation, coming just as the Bush administration was gearing up for a confrontation with Iraq. This new threat wasn't imminent; processing uranium is a tedious task; Kim Jong-il was almost certainly years away from grinding enough of the stuff to make an atomic bomb.

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But the North Koreans had another route to nuclear weapons—a stash of radioactive fuel rods, taken a decade earlier from its nuclear power plant in Yongbyon. These rods could be processed into plutonium—and, from that, into A-bombs—not in years but in months. Thanks to an agreement brokered by the Clinton administration, the rods were locked in a storage facility under the monitoring of international weapons-inspectors. Common sense dictated that—whatever it did about the centrifuges—the Bush administration should do everything possible to keep the fuel rods locked up.

Unfortunately, common sense was in short supply. After a few shrill diplomatic exchanges over the uranium, Pyongyang upped the ante. The North Koreans expelled the international inspectors, broke the locks on the fuel rods, loaded them onto a truck, and drove them to a nearby reprocessing facility, to be converted into bomb-grade plutonium. The White House stood by and did nothing. Why did George W. Bush—his foreign policy avowedly devoted to stopping "rogue regimes" from acquiring weapons of mass destruction—allow one of the world's most dangerous regimes to acquire the makings of the deadliest WMDs?

Given the current mayhem and bloodshed in Iraq, it's hard to imagine a decision more ill-conceived than invading that country unilaterally without a plan for the "post-war" era. But the Bush administration's inept diplomacy toward North Korea might well have graver consequences. President Bush made the case for war in Iraq on the premise that Saddam Hussein might soon have nuclear weapons—which turned out not to be true. Kim Jong-il may have nuclear weapons now; he certainly has enough plutonium to build some, and the reactors to breed more.

Yet Bush has neither threatened war nor pursued diplomacy. He has recently, and halfheartedly, agreed to hold talks; the next round is set for June. But any deal that the United States might cut now to dismantle North Korea's nuclear-weapons program will be harder and costlier than a deal that Bush could have cut 18 months ago, when he first had the chance, before Kim Jong-il got his hands on bomb-grade material and the leverage that goes with it.

The pattern of decision making that led to this debacle—as described to me in recent interviews with key former administration officials who participated in the events—will sound familiar to anyone who has watched Bush and his cabinet in action. It is a pattern of wishful thinking, blinding moral outrage, willful ignorance of foreign cultures, a naïve faith in American triumphalism, a contempt for the messy compromises of diplomacy, and a knee-jerk refusal to do anything the way the Clinton administration did it.

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Negotiating with the mad man

Few countries on earth are more difficult to deal with than North Korea. Since the end of the Korean War 50 years ago, the hermetically sealed regime—the first and the last of Stalin's idolators—has brutalized its own people, threatened its neighbors, and stymied outsiders.

Bill Clinton, a president not known for hawkishness, nearly went to war against North Korea in the spring of 1994. Five years earlier, during the presidency of George Bush's father, the CIA had discovered the North Koreans were building a reprocessing facility near their nuclear reactor at Yongbyon. It was this reactor that, when finished, would allow them to convert the fuel rods into weapons-grade plutonium. Now, barely a year into Clinton's first term in office, they were preparing to remove the fuel rods from their storage site, expel the international weapons inspectors, and withdraw from the Nuclear Non-Proliferation Treaty (which North Korea had signed in 1985).

In response, Clinton pushed the United Nations Security Council to consider sanctions. North Korea's spokesmen proclaimed that sanctions would trigger war. Clinton's generals drew up plans to send 50,000 troops to South Korea—bolstering the 37,000 that had been there for decades—as well as over 400 combat jets, 50 ships, and additional battalions of Apache helicopters, Bradley fighting vehicles, multiple-launch rockets, and Patriot air-defense missiles. Beyond mere plans, Clinton ordered in an advance team of 250 soldiers to set up logistical headquarters that could manage this massive influx of firepower. These moves sent a signal to the North Koreans that the president was willing to go to war to keep the fuel rods under international control. And, several former officials insist, he would have. At the very least, they say, he was prepared to launch an air strike on the Yongbyon reactor, even though he knew that doing so could provoke war.

Yet at the same time, Clinton set up a diplomatic back-channel to end the crisis peacefully. The vehicle for this channel was former President Jimmy Carter, who in June 1994 was sent to Pyongyang to talk with Kim Il Sung, then the leader of North Korea. Carter's trip was widely portrayed at the time as a private venture, unapproved by President Clinton. However, a new book about the '94 North Korean crisis, *Going Critical*, written by three former officials who played key roles in the events' unfolding, reveals that Clinton recruited Carter to go.

Carter was an ideal choice. As president, he had once announced that he would withdraw all U.S. troops from South Korea. He retracted the idea after it met fierce opposition, even from liberal Democrats. But it endeared him to Kim Il Sung, who, after Carter left office, issued him a standing invitation to come visit.

Clinton's cabinet was divided over whether to let Carter go. Officials who had served under Carter—Clinton's secretary of state, Warren Christopher, and national

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security adviser, Anthony Lake—opposed the trip. Carter, they warned, was a loose cannon who would ignore his orders and free-lance a deal. Vice President Al Gore favored the trip, seeing no other way out of the crisis. Clinton sided with Gore. As Clinton saw it, Kim Il Sung had painted himself into a corner and needed an escape hatch—a clear path to back away from the brink without losing face, without appearing to buckle under pressure from the U.S. government. Carter might offer that hatch.

Both sides in this internal debate turned out to be right. Kim agreed to back down. And Carter went way beyond his instructions, negotiating the outlines of a treaty and announcing the terms live on CNN, notifying Clinton only minutes in advance.

Four months later, on Oct. 21, 1994, the United States and North Korea signed a formal accord based on those outlines, called the Agreed Framework. Under its terms, North Korea would renew its commitment to the Nuclear Non-Proliferation Treaty, lock up the fuel rods, and let the IAEA inspectors back in to monitor the facility. In exchange, the United States, with financial backing from South Korea and Japan, would provide two light-water nuclear reactors for electricity (explicitly allowed under the NPT), a huge supply of fuel oil, and a pledge not to invade North Korea.

In Bush's view, to negotiate with an evil regime would be to recognize that regime, legitimize it, and—if the negotiations led to a treaty or a trade—prolong it.

The accord also specified that, upon delivery of the first light-water reactor (the target date was 2003), intrusive inspections of suspected North Korean nuclear sites would begin. After the second reactor arrived, North Korea would ship its fuel rods out of the country. It would essentially give up the ability to build nuclear weapons.

Other sections of the accord—which were less publicized—pledged both sides to "move toward full normalization of political and economic relations." Within three months of its signing, the two countries were to lower trade barriers and install ambassadors in each other's capitals. The United States was also to "provide full assurances" that it would never use, or threaten to use, nuclear weapons against North Korea.

Initially, North Korea kept to its side of the bargain. The same cannot be said of our side. Since the accord was not a formal treaty, Congress did not have to ratify the terms, but it did balk on the financial commitment. So did South Korea. The light-water reactors were never funded. Steps toward normalization were never taken. In 1996, one of Pyongyang's spy submarines landed on South Korean shores; in reaction, Seoul suspended its share of energy assistance; Pyongyang retaliated with typically inflammatory rhetoric. Somewhere around this time, we now know, the regime also secretly started to export missile technology to Pakistan in exchange for Pakistani centrifuges.

By the middle of 2000, relations started to warm somewhat. Kim Jong-il—who had taken over after his father's death in 1994—invited Clinton to Pyongyang, promising to sign a treaty banning the production of long-range missiles and the export of all missiles. Secretary of State Madeleine Albright made the advance trip in October.

Kim Jong-il is clearly one of the world's battier leaders. Tales are legion of his egomaniacal extravagance and his weird ambitions. Yet those who saw him negotiate with Albright say he can behave very soundly when he wants. Robert Einhorn, who was Clinton's chief North Korea negotiator (and is now an analyst at the Center for Strategic and International Studies, a conservative think tank in Washington), took part in the 12 hours of talks with Kim. "He struck me as a very serious, rational guy who knew his issues pretty well," Einhorn recalls.

Wendy Sherman, who was Albright's North Korean policy coordinator, came away with the same impression. "There were 14 unresolved issues," Sherman says, "and he sat with the secretary, answering all her questions." Ein-

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horn elaborates: "When Albright presented him with the questions, at first he looked a little puzzled, as if he hadn't known about them. Albright offered to give him time to look them over, but he said, 'No, no, I can do this.' He went down the list, one by one, and gave specific explanations. For example, on the question of missile exports, 'Yes, I mean no exports of missiles of *any* range.' And 'Yes, I mean to ban the export of missile *technology*, not just the missiles.' On issues where it was clear he didn't want to be drawn out yet, he skipped over them. He understood where he wanted to be clear and where he wasn't going to be."

After the Albright-Kim talks, Einhorn and his staff, working at a frantic pace with North Korean diplomats, hammered out the beginnings of a deal. But time ran out. Clinton devoted the final weeks of his second term, futilely as it happened, to a peace treaty in the Middle East. The unsettled nature of the 2000 presidential election, especially the prolonged Florida recount, suspended all other diplomatic activity. There were still disagreements between the two sides over a missile deal. However, as Clinton left the White House, the stage was set for diplomatic progress—and, in the meantime, the fuel rods remained under lock and key.

Sunshine and moral clarity

A few days before Bush took office in January 2001, a half-dozen members of Clinton's national-security team crossed the Potomac River to the Northern Virginia home of Colin Powell. President-elect George W. Bush had named the former general as his secretary of state, a choice widely viewed, and praised, as a signal that the new president would be following a moderate, internationalist foreign policy.

The Clinton team briefed Powell for two hours on the status of the North Korean talks. Halfway into the briefing, Condoleezza Rice, the new national security adviser, who had just flown in from meeting with Bush in Texas, showed up. One participant remembers Powell listening to the briefing with enthusiasm. Rice, however, was clearly skeptical. "The body language was striking," he says. "Powell was leaning forward. Rice was very much leaning backward. Powell thought that what we had been doing formed an interesting basis for progress. He was disabused very quickly."

In early March, barely a month into Bush's term, Kim Dae Jung, South Korea's president, made a state visit to Washington. On the eve of the visit, Powell told reporters that, on Korean policy, Bush would pick up where Clinton had left off. The White House instantly rebuked him; Bush made it clear he would do no such thing. Powell had to eat his words, publicly admitting that he had leaned "too forward in my skis." It was the first of many instances when Powell would find himself out of step with the rest of the Bush team—the lone diplomat in a sea of hardliners.

If Powell was embarrassed by Bush's stance, Kim Dae Jung was humiliated. KDJ, as some Korea-watchers called him, was a new kind of South Korean leader, a democratic activist who had spent years in prison for his political beliefs and had run for president promising a "sunshine policy" of opening up relations with the North. During the Clinton years, South Korea's ruling party had been implacably hostile to North Korea. Efforts to hold serious disarmament talks were obstructed at least as much by Seoul's sabotage as by Pyongyang's maneuverings. Now South Korea had a leader who could be a partner in negotiating strategy—but the United States had a leader who was uninterested in negotiations.

In Bush's view, to negotiate with an evil regime would be to recognize that regime, legitimize it, and—if the negotiations led to a treaty or a trade—prolong it. To Bush, North Korea's dictator was the personification of evil. He told one reporter, on the record, that he "loathed" Kim Jong-il. It was no surprise that Bush would distrust anyone who wanted to accommodate his regime. Bush not only distrusted Kim Dae Jung but viewed him with startling contempt. Charles "Jack" Pritchard, who had been director of the National Security Council's Asia desk under Clinton and was now the State Department's special North Korean envoy under Bush, recalls, "Bush's attitude toward KDJ was, 'Who is this naïve, old guy?'" Kim Dae Jung had also committed what Bush regarded as a personal snub. Shortly before his Washington trip, the South Korean president met Russian president Vladimir Putin, and issued a joint statement endorsing the preservation of the Anti-Ballistic Missile Treaty. Everyone knew that Bush placed a high priority on scuttling the ABM Treaty.

So when Kim Dae Jung arrived in Washington, Bush publicly criticized him and his sunshine policy. Bush and his advisers—especially Vice President Dick Cheney and Secretary of Defense Donald Rumsfeld—decided not only to isolate North Korea, in the hopes that its regime would crumble, but also to ignore South Korea, in hopes that its next election would restore a conservative.

Bush was the naïve one, it turned out. Kim Jong-il survived U.S. pressures. And Kim Dae Jung was replaced by Roh Moo Hyun, a populist who ran on a campaign that was not only pro-sunshine but also anti-American. Relations were soured further by Bush's 2002 State of the Union Address, in which he tagged North Korea, Iran, and Iraq as an "axis of evil." A month later, in February, Bush made his first trip to Seoul. James Kelly, his assistant secretary of state for Asian affairs, went in advance to set up the meeting. Pritchard, who accompanied Kelly, recalls, "The conversation in the streets of Seoul was, 'Is there going to be a war? What will these crazy Americans do?' Roh said to us, 'I wake up in a sweat every morning, wondering if Bush has done something unilaterally to affect the [Korean] peninsula."

By this time, Clinton's Agreed Framework was unraveling. The light-water reactors, it was clear, were never

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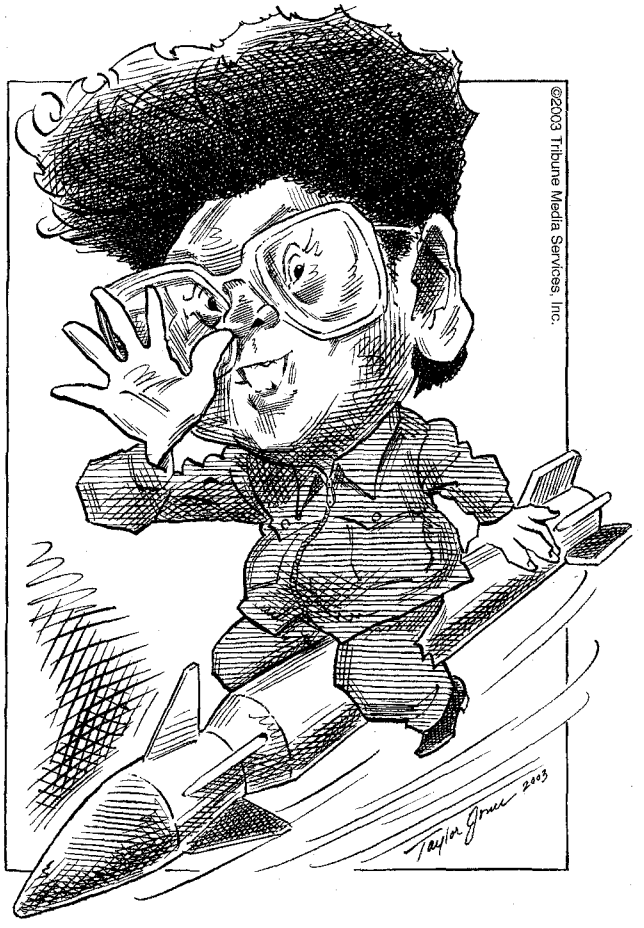
going to be built. Normalization of relations was another non-starter. The CIA got wind that North Korea may have been acquiring centrifuges for enriching uranium since the late 1990s, most likely from Pakistan. By September 2002, the conclusion was inescapable. It was debatable whether this literally violated the Agreed Framework, which dealt with the manufacturing of plutonium, but it was a sneaky end run and a violation of the Non-Proliferation Treaty.

On Oct. 4, Kelly flew to Pyongyang to confront North Korean officials with the evidence. The North Koreans admitted it was true. For almost two weeks, the Bush administration kept this meeting a secret. The U.S. Senate was debating a resolution to give President Bush the authority to go to war in Iraq. The public rationale for war was that Saddam Hussein possessed weapons of mass destruction. If it was known that North Korea was also making WMDs—and nuclear weapons, at that—it would have muddied the debate over Iraq. Some would have wondered whether Iraq was the more compelling danger—or asked why Bush saw a need for war against Iraq but not against North Korea. The Senate passed the Iraqi war resolution on Oct. 11. The Bush administration publicly revealed what it had known for weeks about North Korea's enriched-uranium program on Oct. 17.

On Oct. 20, Bush announced that it was formally withdrawing from the 1994 Agreed Framework. It halted oil supplies to North Korea and urged other countries to cut off all economic relations with Pyongyang. The North Koreans, perhaps realizing that they had once again boxed themselves into a diplomatic corner, decided to replay the crisis of 1994: In late December, they expelled the international weapons inspectors, restarted the nuclear reactor at Yongbyon, and unlocked the container holding the fuel rods.

On Jan. 10, 2003, they withdrew from the Non-Proliferation Treaty. However, they also said they would reverse their actions and retract their declarations if the United States resumed its obligations under the Agreed Framework and signed a non-aggression pledge.

Another sign that Pyongyang was looking for a diplomatic way out came on that same day, when delegates from North Korea's U.N. mission paid a visit to Bill Richardson, the governor of New Mexico and a former U.N. ambassador in the Clinton administration. Richardson had bargained with North Korea before. As a congressman, he once traveled to Pyongyang to retrieve the body of a constituent whose Army helicopter had been shot down after drifting across the DMZ. He later negotiated the return of an American hiker who was arrested as a spy after inadvertently crossing the North Korean border.



Any deal that Bush might cut now to dismantle North Korea's nuclear-weapons program will be harder and costlier than the one he could have cut 18 months ago before Kim Jong-il got his hands on bomb-grade material and the leverage that goes with it.

Since President Clinton had used Jimmy Carter as an "unofficial" intermediary to jump-start nuclear talks in '94, North Korean officials may have inferred that this was the Americans' way of "saving face" in dealing with out-of-favor regimes—to have middlemen do behind the scenes what presidents could not do publicly.

Richardson seemed willing to serve as an intermediary. During the two days of talks in Santa Fe, he stayed closely in touch with the State Department. Richardson was no showboat, had no partisan animus, and—unlike Carter in Clinton's day—probably could have played middleman to Bush without going beyond his instructions. But nothing came of the Richardson gambit. As Pritchard recalls it, "The North Koreans were

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grasping for straws, looking for any friendly face. But they forgot to do the math. Richardson was a Democrat, a Clinton guy. No way would Bush have anything to do with him." Einhorn agrees. In the Bush administration, as he delicately puts it, "The default mode was skepticism about anything involving Clinton."

On Jan. 13, two days after the New Mexico meetings, Jim Kelly tried to keep a positive line open. At a press conference in Seoul, Kelly signaled that he understood what the North Koreans were doing and that a negotiated settlement was possible. "Once we get beyond nuclear weapons," he told reporters, "there may be opportunities—with the United States, with private investors, with other countries—to help North Korea in the energy area."

But Kelly seemed to be speaking out of turn. Washington made no subsequent overtures. Kelly, like his boss Powell, may have believed that the crisis could be resolved by diplomatic means. But the revelation about North Korea's secret enriched-uranium program strengthened the hand of the administration's hawks—especially Cheney and Rumsfeld—who felt that North Korea couldn't be trusted in negotiations and, more to the point, that negotiations were the wrong way to deal with such regimes in the first place.

Unlike Kelly, Bush had no desire to negotiate with North Korea over its nuclear weapons, much less its energy needs. To Bush and those who agreed with him, this refusal was a matter of principle. Pritchard recalls reading an NSC memo early on in the Bush administration, stating this no-negotiations policy explicitly. The rationale for the policy, according to the memo: to preserve "moral clarity."

Crossing the red line

When their overtures to Richardson led nowhere, the North Koreans escalated tensions again. Over the next two weeks, U.S. spy satellites detected trucks pulling up to the site where the fuel rods were stored, then driving away toward the reprocessing facility. When Kim Il Sung threatened to take this step back in 1994, Clinton warned that it would cross a "red line." When Kim Jong-il actually *did* it in 2003, George W. Bush did nothing.

Specialists inside the U.S. government were flabbergasted. This was serious business. Once those fuel rods left the storage site, once reprocessing began, once plutonium was manufactured, the strategic situation changed: Even if we could get the North Koreans back to the bargaining table, even if they would agree to drive the fuel rods back, we could never be certain that they'd totally disarmed; we could never know if they still had some undeclared plutonium hidden in an underground chamber. (Even before this crisis, the CIA estimated that the North Koreans might have built one or two bombs from the plutonium it had reprocessed between 1989 and 1994.)

In March 2003, President Bush ordered several attack planes, as well as some B-1 and B-52 bombers, to the U.S. Air Force base in Guam, well within range of North Korea. The clear intent was to signal a possible impending air strike on the reactor. It was a feeble threat, a classic case of shutting the barn door after the horses escaped: By this time, the fuel rods were gone and possibly hidden away. Indeed, Bush made no moves to support, or otherwise prepare for, an air strike; there were no movements of ground or naval forces to deter or beat back a possible North Korean retaliatory strike or invasion. Nor was the movement of air forces accompanied by any diplomatic moves. In May, Bush ordered the aircraft back to their home bases.

Highway chicken

What explains Bush's inaction before North Korea crossed the red line—and its weak response afterward? Historians will surely debate that question for decades. Part of the answer probably lies in the administration's all-consuming focus on Iraq. Military mobilization toward the Persian Gulf was in full swing; the invasion would start in March. It would have been a bit much—in money, matériel, and mental concentration—to start mobilizing for northeast Asia, too. In January, a senior administration official told *The New York Times*, "President Bush does not want to distract international attention from Iraq."

In short, Bush took no serious military action because, in a sense, he couldn't. And he took no serious diplomatic action because he didn't want to. In April, in the flush of the U.S. military's lightning victory over the Iraqi army and the toppling of Saddam Hussein (or at least his statues), Rumsfeld wrote a memo to Bush, calling for "regime change" as a policy toward North Korea. Bush seemed to agree. In a public speech in May, the president said, as if he were addressing Kim Jong-il, "You're hungry and you can't eat plutonium."

The fallacy, of course, is that, although the North Korean people are hungry (a famine in the mid '90s killed as many as two million of them), Kim Jong Il personally eats quite well. He doesn't care about the welfare of his people, only about the survival of his regime. And since he has sealed off his country as hermetically as the 21st century allows, he could sustain a crisis far longer than other leaders might.

Kim Jong-il's father, Kim Il Sung, had risen to power through guerrilla warfare—and conducted governance in the same manner. As an ancient national proverb has it, Korea is "a shrimp among whales," and both Kims—the only two leaders in North Korea's history—mastered the art of playing the large countries around them off one another. Their approach to diplomacy is to foster an atmosphere of "drama and catastrophe" as the scholar Scott Snyder puts it in his book *Negotiating on the Edge*: a prolonged cycle of crisis, intimidation, and brinkmanship.

In the game of highway chicken, North Korea is the shrewd lunatic who very visibly throws his steering

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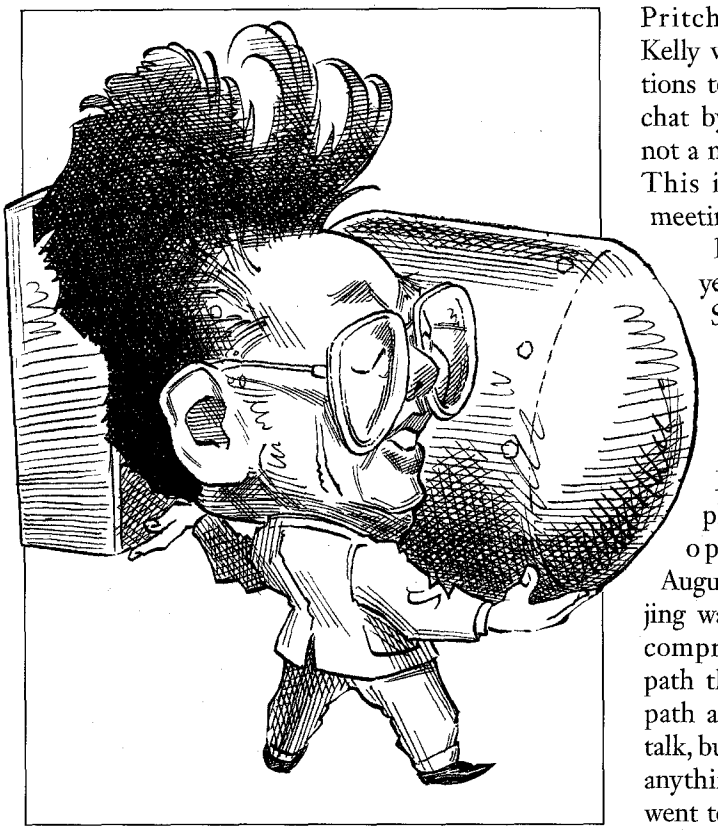
wheel out the window, forcing the other, more responsible driver to veer off the road.

At first glance, Bush might be excused for refusing to play this game. At second glance, though, what choice does he have? The whole world travels on that road. And the game can be played—has been played, as the Clinton administration showed. Indeed, by April 2003, Bush realized he had to convey at the least the appearance of talking with the North Koreans. It is not entirely clear what brought this on: a brief bureaucratic victory for Colin Powell or diplomatic pressure from the major powers in the region—Japan, China, and South Korea. Either way, Kelly was sent to Beijing to engage in preparatory talks. However, according to Pritchard, who also attended, Kelly was under strict instructions not to hold even informal chats with the North Korean delegate unless the other countries' delegates were present.

During this meeting, Li Gun, North Korea's very experienced deputy foreign minister, announced that his country now had nuclear weapons—he referred to them as a "deterrent"—and said the weapons would not be given up unless the United States dropped its "hostile attitude" toward the regime. Kelly returned from this trip, saying the North Koreans had offered a "bold, new proposal." Its gist: North Korea would drop its nuclear weapons program if Washington signed a non-aggression pact. But President Bush reacted dismissively, telling one reporter, "They're back to the old blackmail game." This was the Bush-Cheney-Rumsfeld line: As long as the North Koreans were pursuing nuclear weapons, even to sit down with them would be "appeasement," succumbing to "blackmail," and "rewarding bad behavior."

By August, it was becoming clear that efforts to destabilize North Korea were not succeeding. Nor were North Korea's efforts to lure the United States into bilateral negotiations. In a compromise, both sides agreed to attend "six-party" talks in Beijing, involving the United States, China, Russia, Japan, and the two Koreas. Pritchard says that at these talks, Kelly was permitted for the first time to meet one-on-one with his North Korean counterpart—but only for 20 minutes and only as long as delegates from the other four powers were in the same room. (Kelly and Li could chat alone in a corner.) Kelly was also forbidden from making any offers or suggesting even the possibility of direct negotiations. Pritchard recalls that Kelly was under instructions to start the private chat by saying, "This is not a negotiating session. This is not an official meeting."



The worry isn't just that North Korea will have nuclear weapons—it's also what other nations may do as a result. All of Asia could find itself embroiled in a nuclear arms race.

For the previous year-and-a-half, the State Department had favored a diplomatic solution to the Korea crisis while the Pentagon and key players in the NSC opposed it. The August meeting in Beijing was Bush's idea of a compromise—a middle path that constituted no path at all. He let Kelly talk, but didn't let him say anything meaningful; he went to the table but put nothing on it.

Even so, the bureaucratic warring persisted. Just before the talks took place, Undersecretary of State John Bolton—who, throughout the administration, has served as a sort of hawks' mole inside Foggy Bottom—gave a speech in which he called North Korea

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"a hellish nightmare" and Kim Jong-il "a tyrannical dictator." True enough, but not the sort of invective that senior officials generally issue on the eve of a diplomatic session.

Around this time, Pritchard resigned in protest from the Bush administration. "My position was the State Department's envoy for North Korean negotiations, yet we were prohibited from having negotiations," Pritchard recalls. "I asked myself, 'What am I doing in government?'" He also got word that key officials in the White House and the Pentagon did not want him involved in the talks, lest he take them too seriously. Pritchard was told that they referred to him as "the Clinton guy." Powell, Pritchard's sole high-level backer, asked him not to quit—or at least not to do so publicly. Pritchard helped set up the six-party talks, left at the end of August, and went to work at the Brookings Institution. He did nothing to keep secret his reasons for quitting.

One-note sonata

Conservatives today portray Bush's unwillingness to negotiate with Kim as a virtue that will make the world safer, and Clinton's '94 framework as something that rewarded evil and therefore undermined our security. But the simple fact is that if Clinton hadn't signed it, North Korea could have built dozens of nuclear bombs by now—to store as a deterrent, rattle as weapons of intimidation, sell to the highest bidder for much-needed hard currency, or all three. And if steps aren't taken to ward North Korea off its current course, Kim Jong-il could build dozens of bombs over the next few years. This is why, ultimately, Bush's no-negotiations policy is not merely puzzling but irresponsible. Kim may be playing the nuclear card as a bargaining chip, but if the United States declines to bargain, he will gladly keep his chips and stack them high.

The worry isn't merely that this strange, totalitarian power will have nuclear weapons—it's also what other powers may do as a result. If North Korea gets a handful or more of atom bombs, many believe that Japan will drop its historical restraints and build atom bombs, too, as a deterrent. A nuclear Japan could galvanize China to restart its long-dormant nuclear weapons program. China's buildup could trigger escalation by India, which would compel Pakistan to match warhead for warhead. All Asia could find itself embroiled in a nuclear arms race.

Nor does Bush, at this point, have a plausible military option for thwarting Pyongyang's ambitions before they spiral out of hand. A preemptive strike would be less effective than it might have been in Clinton's day. Bush could destroy the Yongbyon reactor, but the strike probably wouldn't destroy the plutonium or the enriched uranium, which intelligence officials assume is stored underground—precisely where, they don't know. Then there is the possibility of North Korean retaliation, if not with the one or two nukes that they may already have, then with the thousands of artillery shells on the South Korean border, many of them loaded with chemical munitions, most of them within range of Seoul. In short, we have little leverage; the North Koreans have a lot; yet Bush refuses to take the North Koreans up on their offers to trade their weapons away.

Even now, though Kelly is allowed to talk with North Koreans routinely, he is still forbidden from holding out any negotiating positions, any incentives for the North Koreans to give up their weapons program—which is after all their sole instrument of power, the only thing that is making the United States talk with them, not bomb them, in the first place.

As recently as last month, Dick Cheney traveled to Asia to talk with U.S. allies about how to deal with North Korea's nukes. His campaign amounted to a one-note sonata—a renewal of Bush's earlier pleas for a unified campaign to isolate North Korea in order to topple Kim Jong-il. The allies—South Korea, Japan, and China—have no interest in such a policy. They fear the possible consequences: an onslaught of refugees, a vacuum of power, or—the worst case—a ferocious lashing-out by Kim Jong-il in his final spasms of decline. China has become so agitated about the dangers—and America's refusal to deal with them—that it has opened up an independent avenue of diplomacy, urging Kim Jong-il personally to break all precedents and take the first step in backing down.

Meanwhile, the catastrophe continues to unfold. Last October, the North Koreans announced they had reprocessed all 8,000 of their fuel rods and solved the technical problems of converting the plutonium into nuclear bombs.

Last January, a (genuinely) private delegation—which included Jack Pritchard and Sig Hecker, a former director of the Los Alamos nuclear weapons lab—flew to North Korea for a tour of the Yongbyon nuclear reactor. It was the first time since the crisis began that any Westerner had been inside. Hecker came away convinced that the North Koreans had indeed reprocessed the fuel rods; he saw the plutonium. But he saw no sign that they had actually converted the stuff into weapons. In hearings before the Senate Foreign Relations Committee, Hecker made clear: This doesn't mean they don't have any bombs—just that he was shown no evidence that they do.

Nobody knows precisely what North Korea has. This is what makes negotiations both difficult and necessary. Bush's failure to make a deal, while the fuel rods were still locked up, constitutes one of the great diplomatic blunders of our time. It may not be too late to avert the coming disaster. The question is whether the president—whoever he might be—recognizes that a disaster is coming, decides to deal with it, and does so fairly soon. The time is already late; at some point, it will run out. ◆

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Jack of Smarts

Why the Internet generation loves to play poker.

By Justin Peters

Before this year, my only experience with poker was at basketball camp when I was 12. We played during rest periods with Skittles for chips and about seven different wild cards per hand. Although fun, the game paled by comparison to other leisure pursuits, such as sleeping, and I never gave it much thought after that. Yet during the past year, I have unexpectedly changed my tune. I've joined a weekly card game. I waste hours surfing online poker sites. I try to drop poker phrases like "bad beat" and "the nuts" into casual conversation. When I won $140 at the table in February, I spent weeks regaling everybody I knew with chapter and verse of my victory. Most reacted with raised eyebrows and condescension, but similarly afflicted friends of mine understood, greeting the story with measured awe, as if I were Amarillo Slim.

These days poker—specifically Texas hold 'em, the best version of the venerable game—is enjoying an unexpected renaissance among Americans in general, and twenty-somethings in particular. It is newly ubiquitous on television: The World Series of Poker, a single event which took place last May, is replayed on ESPN with obsessive frequency 10 months after it ended. The World Poker Tour, another set of tournaments located in casinos around the country, got picked up by the Travel Channel last year. In the fall, Bravo introduced its heavily promoted "Celebrity Poker Showdown" program, betting on viewers being riveted by a fifth-street showdown between Timothy Busfield and Coolio. But perhaps anecdotal evidence speaks louder: Three years ago, when I was a sophomore at Cornell University, there wasn't a game to be had. By the time I graduated, I could choose from several different games every night of the week.

Every generation gambles, but how they gamble says something about the spirit of the age. Why are yuppies-in-the-making suddenly interested in poker, a game most of us grew up associating with either paneled basements and cheap cigars or Rococo Old West saloons filled with bolo-tied card sharps? The answer may be that the popular image of the game has undergone a subtle recasting—one with a great attraction to ironic youngsters like me who find in the game the same slightly glamorous, slightly seedy, go-getter spirit that characterized the Internet boom. It makes sense that today's college-educated young adults, especially young men, choose poker. Strategy-oriented, individualistic, and embedded in a nice masculine mythology, poker is the perfect game for the revenge-of-the-nerds generation looking to square their intelligence with their inner maleness.

Boomtowns to poker blogs

Poker first appeared in the United States in the 1820s, brought to New Orleans by French immigrants

Justin Peters is a writer in Washington, D.C.

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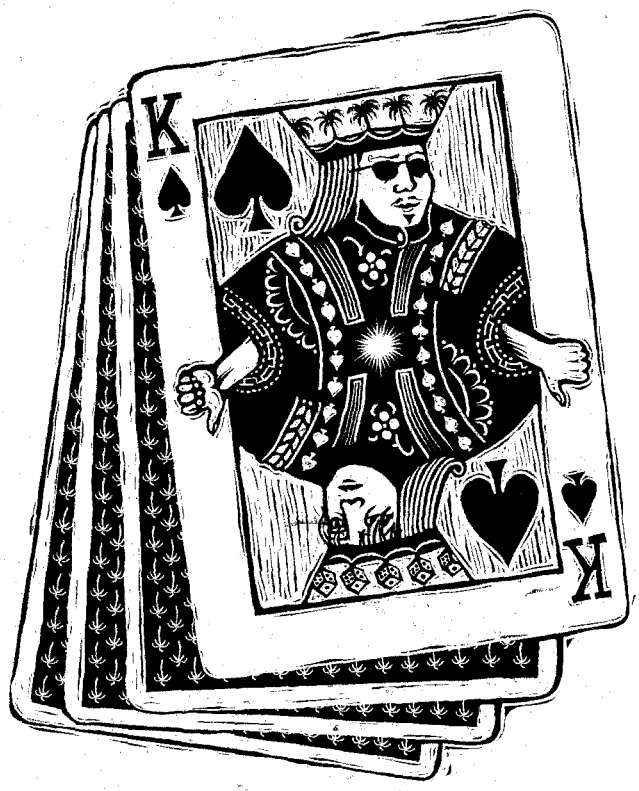
who called the game *poque*. It traveled up the Mississippi River and spread throughout the country, soon becoming an underground national pastime, baseball for the unathletic. As the century turned, poker maintained its popularity, but lost its phenomenon status. Though television shows like "Maverick" in 1957 and the 1971 mini-series "The Gambler" later mythologized the poker players of the good old days—the dandified 1840s gambler, kind to women and merciless to cheaters—no one looked for glory or drama in modern poker anymore. To callow youth like me, the game looked like just another thing that Babbitty men did, like the Rotary club, or golf. People's dads played poker.



And then we started playing poker, too. Like everything else with my generation, technological innovation helped enable our new hobby. By the late '90s and early 2000s, dozens of online casinos had sprung up, allowing the Internet to tap its full potential as a 24-hour gaming paradise. Free from the annoying sanctions of the U.S. Penal Code, these offshore virtual Monte Carlos offered interested parties the opportunity to wager 'round the clock. Especially popular were online poker rooms, where you could play—for money, real or fake—against all comers. For many would-be players, the fear of looking like confused novices in front of a room full of old hands used to keep them from the tables. Now, the online poker rooms provide a convenient place to learn and refine the game at home with no one watching. More recent arrivals are the poker blogs shilling for their favorite sites, swooning over their favorite pros, and telling their stories about the hands that got away.

Televised poker is also a lot better than it used to be. For too long, TV executives were unsure how to treat their poker coverage, cramming it into late-night time slots on cable sports networks. This was odd, as poker belongs in the same dubious semi-sport category as eating contests or spelling bees. Not only did it require no physical prowess, but due to prolonged exposure to tobacco, free drinks, and fluorescent lights, many of the game's finest players appear to be chronic palpitators and arrythmiacs. Little wonder that it never got good ratings on ESPN or the "Wide World of Sports." But with the Travel Channel, formerly the repository of such stinkers as "Busch Gardens Revealed" and "Incredible Vacation Videos," poker met its perfect match. The station has been the prime propagator and beneficiary of the poker craze with its "World Poker Tour" viewing block, which sends viewers casino-hopping around the world to a new poker tournament each week, open to all comers for a modest entrance fee. In its breathless approximation of legitimate sports coverage, the production is hilariously WWFesque in a way that appeals perfectly to ironic 20-somethings: lots of gaudy money shots, a blonde "sideline reporter" who conducts exit interviews with ousted players, and "expert" announcers coming off as campy parodies of real sportscasters, with their nicknaming and jargonese. Well-placed cameras reveal each player's hole cards, allowing viewers at home to revel in omniscience even as they attempt to follow the thought processes of the bettors and sharpen their own skills at home.

Indeed, some of the best self-taught players, variants of 1990s computer nerds, are finding success in the pro poker circuit. The reigning World Series champion is a chubby, eagle-eyed 28-year-old Tennessee accountant with the Dickensian name of Chris Moneymaker. Moneymaker had learned the game just three years earlier and perfected his tricks by playing Internet poker obsessively. The 2003 World Series was his first professional event, and he beat hundreds of long-time professionals, walking away with $2.5 million, and the near-worshipful admiration of millions of delusional amateurs like myself.

Baseball for the unathletic

The myth and aura of the game have perhaps never before been in such perfect accord with the aspirations of a generation. In the post-tech-boom years, the archetype of male success and cool mixes laddish cockiness and financial acumen. To my friends, blackjack seems like a game for those who trust their fate to chance or byzantine card-counting schemes. Slots are for the old, the overweight, and certain right-wing morality mavens. But poker, you see—for us poker has *cache*. Most forms of gambling depend on chance, but poker requires skill and it's easy to believe that the player with

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the strongest will is going to win, leaving weaker minds to wilt in his wake.

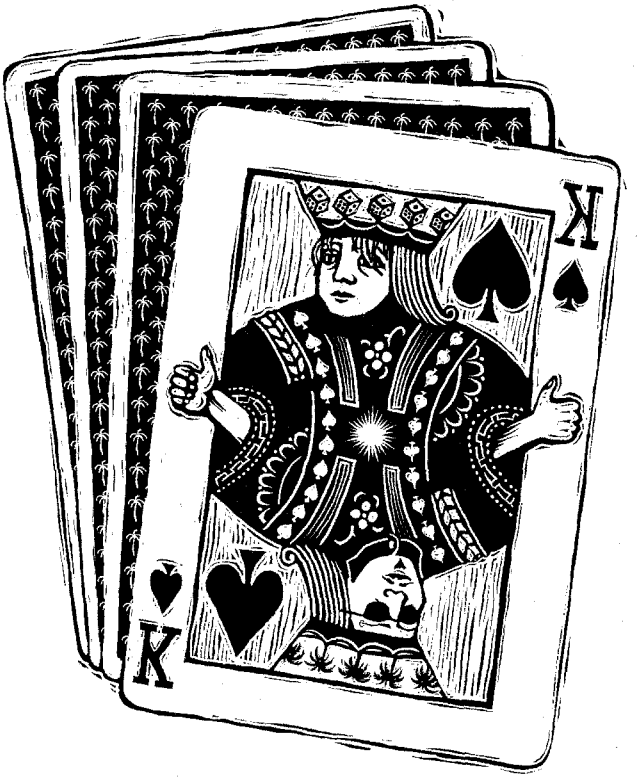
Many of us were introduced to the modern face of poker by the 1997 movie *Rounders*, starring Matt Damon as a debt-ridden poker prodigy, which developed something of a cult status on many college campuses. *Rounders* popularized the act of reading someone's "tell"—the unique facial or bodily tics that unintentionally reveal his hand. At some games, table banter is nonexistent—the players just look at each other, trying in vain to "read" the table's reactions. It's this mental aspect of the game that attracts so many young players. "Before *Rounders*, I just thought of poker as something they played in saloons in Westerns, and boring five-card draw," says Arthur Wellington, a poker-obsessed student at Lehigh University in Pennsylvania. "[The movie] made me realize there was a lot more to the game than just betting on cards turned over."

Strategy-oriented, individualistic, and embedded in a nice masculine mythology, poker is the perfect game for the revenge-of-the-nerds generation looking to square their intelligence with their inner maleness.

My friends and I play every week, sometimes many times a week. A revolving cast of (young, male) characters show up at the games. We are all terrible. Everybody adopts a different persona. I am nearly silent during the game, hoping to project an image of cool rival examination and categorization of everyone else's reactions—a masterful command of the art of the "read." The reality is rather different. Usually I'm just thinking about how hungry I am, or I'm distracted by the TV. But the reality doesn't matter.

One guy, Jesse, is known for buying in, busting out, and repeating the cycle multiple times in the course of one night's action, without giving the matter a second thought. He cheerfully admits that he is down several hundred dollars since he began playing, and he never seems too out of sorts about it, but sometimes I picture him alone, at home, having crises of conscience, staring mournfully at his empty wallet and shaking his head wordlessly.

A few of us have higher ambitions for our game, partly stirred by an increased diet of televised poker. Although my friend Jake Collins had only rarely played before this summer, he is now set on becoming a professional player. I spent several weeks with him this summer in and out of various West Coast motels, where the only consistent televised entertainment we could find was poker tournaments. Thus stoked, Collins is taking a scientific approach to his play, keeping detailed charts and notebooks on his play patterns; despite real progress, he knows he's got a long way to go before he can shoot with the big guns. He speaks with hushed admiration of professional players' Svengali-like ability to get inside other players' heads: "Those guys are so good."



Five-card nerds

Another cult film on college campuses, the recent remake of *Ocean's Eleven*, pokes fun at the desire of young people like me and my friends to be cool poker players. The opening scene has Brad Pitt's character, a been-around poker hand, coaching a series of Hollywood pretty boys in the finer aspects of the game. Part of the joke is that the actors playing the pretty boys are themselves Hollywood pretty boys (a pre-Punk'd Ashton Kutcher, Joshua Jackson) who don't know much about the game—upon being dealt a hand, Topher Grace gleefully blurts "Fellas! Fellas! Check this! All ... reds!" Pitt just shakes his head.

You know something is a trend when it's not only being advanced by popular culture, but satirized by it. Neophytes like me imagine that the best players possess the qualities we saw or wanted to see in our father figures: mental toughness, boldness, steadfastness. Plus, the game requires no muscle tone, physical stamina, or quick reflexes—making it a perfect match for a generation that grew up blasting away video-game monsters with the twitch of a thumb and now workdays parked in front of a computer screen. We may not have pecks, but we have the "read." ♣

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The Enemy Within

Al Qaeda threatened not only the security of the United States, but also the worldview of the Bush administration.

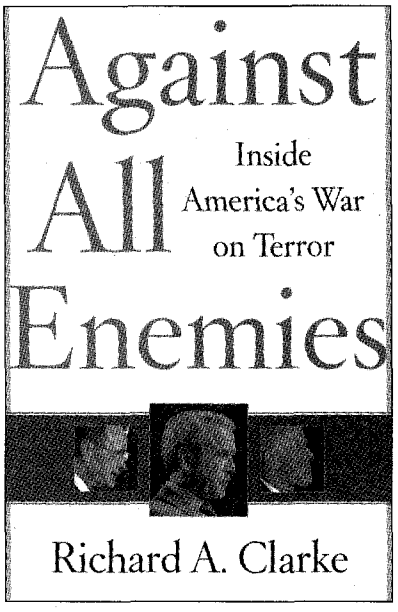
By Peter Bergen

Prior to Sept. 11, 2001, relatively few Americans had ever heard of a terrorist group called al Qaeda and its tall, bearded leader Osama bin Laden. The suicide hijackings that brought planes down that day in New York, Washington, D.C., and Pennsylvania seemed to come out of nowhere. And in part because they felt taken by surprise, the vast majority of Americans cut President Bush a great deal of slack over these horrific incidents that happened on his watch. He and his administration were new on the job, and who could possibly have foreseen such attacks anyway?

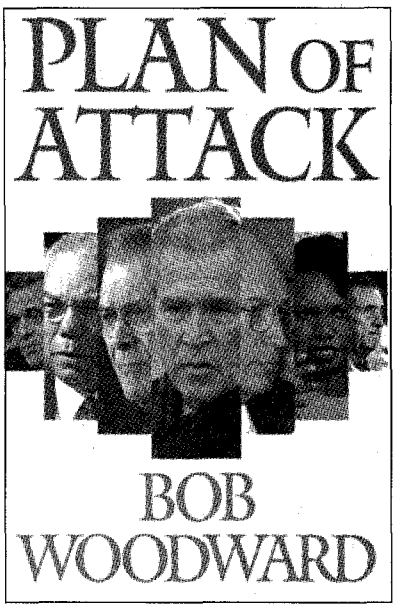
Then this spring came the public hearings of the September 11 commission, and the revelations of just how much warning the president and his top aides had. They received briefings by alarmed members of the exiting Clinton administration; detailed memos from counter-terrorism officials requesting immediate action against al Qaeda; "hair on fire" alerts delivered personally to the president by CIA director George Tenet; and a now-famous Aug. 6, 2001 Presidential Daily Briefing (PDB) titled "Bin Laden Determined To Strike in the US."

And yet none of these warnings seemed to have made much of an impression on the Bush team. While Clinton cabinet members had met at least monthly to discuss the terror threat, the Bush administration held only one such "principals meeting" specifically devoted to al Qaeda before September 11. Instead of following the previous administration's policy recommendations on al Qaeda, they spent seven months coming up with their own (not very different) plan, one that was completed just days before September 11. President Bush took no discernable action after receiving the Aug. 6 PDB, and uttered no public words about al Qaeda until after the attacks.

What explains the gulf between the warnings the Bush team received about al Qaeda and the scant attention they paid to the threat? That's one of the mysteries that one might hope the September 11 commission will solve in its



Against All Enemies: Inside America's War on Terror
By Richard A. Clarke
Free Press; $27.00



Plan of Attack
By Bob Woodward
Simon & Schuster; $28.00

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final report, scheduled for release this summer. But there are reasons to think the mystery will endure. First, it will be hard to get Republican and Democratic commissioners to agree on an answer. More importantly, the commission has been given a narrow mandate to look only at events and actions in the period leading up to 9/11. The truth is, one cannot begin to solve the mystery of the White House's inaction without first understanding its larger aims and worldview. And for that, there is no better place to begin than the two fascinating and much-discussed recent insider accounts of the administration's security policies before and after September 11: Former counterterrorism czar Richard Clarke's Against *All Enemies*, and journalist Bob Woodward's *Plan of Attack*.

Beyond belief

There is a philosophical distinction between belief and knowledge. Often we can "know" all sorts of facts without quite believing them to be true. The U.S. government had comprehensive evidence that the Nazis were carrying out the Holocaust before the end of World War II, but few really believed the evidence until the liberation of the death camps. In much the same way, the fact that al Qaeda intended to attack the United States was hardly a secret. The Aug. 6 PDB warning of al Qaeda's focus on the United States was simply stating the blindingly obvious: Beginning in 1997, bin Laden had repeatedly said he was going to attack the United States in interviews with CNN, ABC News, and *Time*. Moreover, the al Qaeda network had already attacked the World Trade Center in 1993 and had tried to blow up Los Angeles International airport in 1999. Rarely have our enemies warned us so often of their plans.

Yet al Qaeda was clearly not on the minds of Bush's chief foreign policy advisers. As *The Washington Post* reported, National Security Advisor Condoleezza Rice was scheduled to give a speech on Sept. 11, 2001, about the administration's national security priorities. The speech was "designed to promote missile defense as the cornerstone of a new national security strategy, and contained no mention of al Qaeda, bin Laden or Islamic extremist groups."

I did a database search of all of Rice's statements and writings between the mid-90s and September 11. She never mentioned al Qaeda publicly and referred to bin Laden only once on a Detroit radio in 2000.

Perhaps sensitive to this history, Rice testified during the September 11 inquiry that al Qaeda "was on the radar screen of any person who studied or worked in the international security field" and that in 1999, she herself "had written for an introduction to a volume on bioterrorism done at Stanford that I thought that we wanted not to wake up one day and find that Osama bin Laden had succeeded on our soil." But I could find no mention of al Qaeda or bin Laden in the book she referred to—*The New Terror: Facing the Threat of Biological and Chemical Weapons*—either by Rice or any of the other contributors. Likewise, a search of Deputy Secretary of State Paul Wolfowitz's pre-September 11 statements and writings shows he never mentioned al Qaeda, referred to bin Laden only once, and then in the context of the Saudi exile's supposed links to Saddam. A similar search for pre-September 11 statements by Vice President Dick Cheney regarding either al Qaeda or bin Laden came up empty.

The fact that the Bush team was strangely somnambulant about the al Qaeda threat is puzzling. It is not as if they were uninterested in national security, were ill-informed or inexperienced, or did not care about the safety of their countrymen; quite the contrary. Nor did they lack enough information to act; indeed, the Bush team likes to highlight the fact that the president was being constantly briefed about al Qaeda as evidence that he was engaged on the issue. Bush administration officials deny that they failed to take the threat urgently enough, but there is no debating the record that in their public utterances and private meetings, the al Qaeda threat barely registered. The real question then, is why, in the face of all this information about the threat, did the most experienced national security team in memory downgrade the problem?

The short answer is: They were in denial. Bush administration officials entered office believing that the great threats facing the country were a remilitarized China and a few, festering rogue states, especially Iraq—states that might try to challenge American hegemony with long-range missiles or, secondarily, by supporting terrorists. Al Qaeda not only didn't fit into this worldview, it also posed a direct challenge to it. If a network of stateless terrorists using truck bombs and other low-tech weapons represented the top threat to America's physical security, it would have been hard to argue that our chief security strategy should be to thwart states by building a missile defense—a goal to which Republican hawks had been committed for nearly two decades.

In other words, bin Laden and al Qaeda were politically and ideologically inconvenient and impossible to square with the Bush worldview—a textbook case of cognitive dissonance. In his book, Clarke recounts an acrimonious exchange he had with Wolfowitz during an April 2001 meeting. "I just don't understand why we are beginning by talking about this one man bin Laden," Wolfowitz said. "You give bin Laden too much credit. He could not do all these things like the 1993 attack in New York, not without a state sponsor. Just because FBI and CIA have failed to find the linkages doesn't mean that they don't exist." Clarke recalls, "I could hardly believe it but Wolfowitz was actually spouting the totally discredited [theory] that Iraq was behind the 1993 truck bomb at the World Trade Center, a theory that had been investigated for years and found to be totally untrue."

Franks assessment

Prior to the attacks of September 11, this cognitive dissonance was comprehensible if not forgivable: The Bush team had been out of power for nearly a decade, and their fixed ideas had not caught up with a changing world. But after the World Trade Center towers came down, thousands were dead in New York and Washington, and evidence of al Qaeda's guilt was obvious, Bush officials still refused to alter their basic vision, revealing themselves to be not just stubborn but pathologically so.

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Almost from the beginning, Clarke writes, the Bush administration was oddly preoccupied with trying to finger Saddam Hussein for the 9/11 attacks. The day after the attacks, the testy president told Clarke to "look into Iraq [and] Saddam." That same day, Clarke wrote, "I walked into a series of meetings about Iraq. At first I was incredulous that we were talking about something other than getting al Qaeda. Then I realized with almost a sharp physical pain that [they] were going to try and take advantage of this national tragedy to promote their agenda about Iraq."

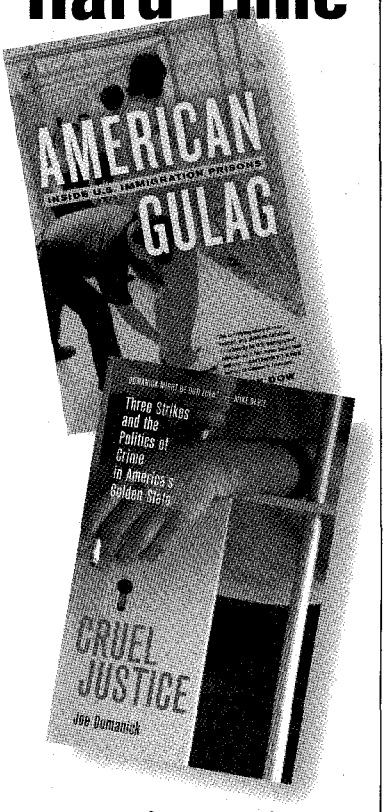
Woodward's reporting reveals the same pattern. On the afternoon of September 11, Secretary of Defense Donald Rumsfeld scribbled a note to his staff: "hit S.H. @ same time—not only UBL." (The initials referred to Saddam and bin Laden, respectively.) Rumsfeld also "asked the Pentagon lawyer to talk to Wolfowitz about the Iraq connection with UBL." Shortly afterwards, according to Woodward, Wolfowitz told the cabinet that "there was a 10 to 50 per cent chance Saddam was involved." Two months after the 9/11 attacks, in the midst of the ground war in Afghanistan, President Bush drew Rumsfeld aside to ask him to revamp the Iraq war plan, an 800-page document known as Op Plan 1003. Rumsfeld passed the order down to Gen. Tommy Franks, who, Woodward writes, "was incredulous. They were in the midst of one war in Afghanistan and now they wanted detailed planning for another in Iraq? 'Goddam,' Franks said, 'what the fuck are they talking about?' " Ironically, the order to redo the Iraq war plan came on Nov. 21, just as the battle of Tora Bora was beginning in eastern Afghanistan. That battle would turn out to be the critical failure of the war on terrorism to date, because it was at Tora Bora that bin Laden and hundreds of al Qaeda foot soldiers managed to slip away and lived to fight another day.

Just as they had ignored the warnings about al Qaeda prior to September 11, so too did the Bush team ignore the doubts of experts about their plans for the Iraqi invasion—and, indeed, the war's very premise. Woodward reveals that during a National Security Council meeting in early September 2002, Franks pressed the president: "We've been looking for Scud missiles and other weapons of mass destruction for ten years and haven't found any yet." Woodward generally steers clear of editorializing—indeed in some of his books he has acted almost as an amanuensis—yet here he points out that "if the intelligence was not good enough to make bombing decisions it probably was not good enough to make the broad assertion ...that there was 'no doubt' Saddam had WMD."

Nor was there much doubt among key players that Saddam and al Qaeda were acting in concert, despite the overwhelming consensus of the intelligence community that they weren't. Woodward illustrates one case in point, a January 2003 briefing in the White House Situation Room given by Scooter Libby, Cheney's chief of staff. Libby told Rice, Wolfowitz, and Bush political advisor Karen Hughes that Saddam was producing and concealing biological and chemical weapons and that he had "numerous and strong" connections to the al Qaeda network. Libby also said that Mohammad Atta, the lead 9/11 hijacker, had met with an Iraqi intelligence agent as many as four times in the Czech Republic. Wolfowitz "thought Libby presented a strong case." Indeed, Woodward writes, Wolfowitz "had been pushing the CIA to investigate whether the East German security services were involved" in training al Qaeda. At this point you begin to wonder if you have strayed into a bad John le Carré novel. By the time of Libby's briefing the FBI and CIA had already concluded that Atta was in the United States at the time of his supposed meetings with the Iraqi intelligence agent. And George Smiley, in his inimitably patient manner, is going to have to tell Wolfowitz that the East German intelligence service went out of business with the fall of the Berlin Wall in 1989.

The administration harbored no more incomprehensible *idée fixe* than its belief that Ahmed Chalabi, who had left his native Iraq while Eisenhower was president, would be greeted as the Garibaldi of a free Mesopotamia. (Polls taken inside Iraq today shows that Cha-

Hard Time



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labi is trusted less than Saddam.) Given the key role Chalabi played in the Bush administration's plans for Iraq, he is a largely absent figure in *Plan of Attack*. But Woodward does have one absolutely wonderful anecdote about Chalabi's Free Iraqi Force that was supposed to fight Northern Alliance-style alongside American forces in Iraq. The plan was to send 5,000 Iraqi exiles into battle in Iraq. Eight hundred U.S. military personnel worked for months to train the exiles, spending millions of dollars on the program, but in the end only 70 Iraqi exiles were trained. You may have seen television pictures of the Free Iraqi Force doing their stuff on CNN, a group of what appeared to be overweight used car salesmen bursting out of their orange uniforms.

Unnecessary evil

Part of the price the Bush administration paid for its fixation on Iraq and its WMD stockpiles, which would prove to be non-existent, was that it misread what would turn out to be the most important source of WMD proliferation in the past decade: Pakistan. Woodward reports that in late November 2001, British intelligence stumbled across a Pakistani nuclear weapons designer willing to sell nuclear weapons designs as well as information about radiological bombs to Islamist extremists. While this discovery did provoke consternation within the Bush administration, and Tenet was sent to Pakistan to warn Gen. Pervez Musharraf of the leakiness of his country's nuclear program, it would still take another three years before the full dimension of the secret sales of Pakistani nuclear technology to Iran, Libya, and North Korea would be revealed. The father of the "Islamic bomb," A.Q. Khan, was handing over WMD to the enemies of the United States, and Pakistani nuclear scientists were meeting with bin Laden in Afghanistan. And so it was our Pakistani allies who were handing over nuclear know-how and material to terrorist groups and terrorist sponsor states, rather than Saddam, the doomsday scenario that was constantly invoked by the administration as the justification for the preemptive war against Iraq.

Indeed, all the arguments for the war—save the fact that Saddam was a monster—have proven to be false: that Iraq had WMD; that Iraq was in cahoots with al Qaeda; that Iraq had something to do with September 11; that the road to peace in Jerusalem ran through Baghdad; and that the war in Iraq would create a democratic domino effect in the region. Yet the Bush administration believed in these ideas fervently and continues, at least publicly, to do so. That is why Bush officials have been particularly infuriated by Clarke's charge in *Against All Enemies* that the Iraq war was not only fought under false premises, but has also been disastrously counterproductive. Clarke writes that that the "unnecessary and costly war in Iraq [has] strengthened the fundamentalist, radical terrorist movement worldwide." Sadly, this incendiary charge is all too true, as recent terrorist attacks in Turkey, Pakistan, Spain, and Iraq all demonstrate. Opinion polls conducted in Muslim countries traditionally allied with the United States, such as Indonesia, Jordan, and Morocco, show that people in those countries have more "confidence" in bin Laden than Bush, demonstrating that the war on Iraq has damaged the United States' efforts in the vital arena of winning the war of ideas. Al Qaeda the organization has morphed into al Qaeda the ideological movement, while the situation in Iraq goes from bad to worse.

According to Clarke, the Iraq war has also damaged the hunt for members of al Qaeda. He writes of the early months of the invasion of Iraq, "the US Special Forces who were trained to speak Arabic, the language of al Qaeda, had been pulled out of Afghanistan and sent to Iraq … Intelligence platforms [satellites] supporting the military were also redirected." It is only in the past couple of months that some of those resources have been sent back to where they should have been all along; hunting for bin Laden and the rest of his crew. In March, CNN's Barbara Starr reported that the United States had for the first time begun to deploy U-2 spy planes and Predator drones to take pictures and intercept communications in the border region between Pakistan and Afghanistan on a 24/7 basis. What was the schedule for these spy planes in the two years before this welcome development—Monday to Friday 9-5?

Indeed, Bush administration officials continue to this day to be exercised by the idea that state sponsored terrorism is the central national security concern of the United States. As Rice testified before the 9/11 inquiry, terrorists are "much more effective when they can count on a state either to sponsor them or to protect them or to acquiesce in their activities. That's why the policy that we developed was so insistent on sanctuaries being taken away from them." That may be true. But consider the most spectacular acts of terrorism of the past decade: the first Trade Center attack in 1993; the sarin gas attack in the Tokyo subway in 1995; the destruction of the federal building in Oklahoma City in 1996; the two simultaneous bombings on U.S. embassies in Africa in 1998; the USS Cole attack in 2000; 9/11 itself; the 2002 assault in Bali that killed 202; and the commuter train bombings in Madrid this year that killed 191. All were carried out by groups or individuals that did not have state sponsorship.

But the Bush administration remains undaunted in its suppression of facts that threaten its agenda. While the eyes of the nation have been focused on the troubles in Iraq, the Pentagon continues to spend billions to put into operation a missile-defense system that has yet to show it will ever work. The system is scheduled to go live at the end of the year, despite two important operational tests scheduled for this summer. "If they both fail, we've got big problems," the Air Force general in charge of the program said last month. But he also made clear, reported *The Washington Post*, "that successful outcomes are not necessary for proceeding with deployment." The Bush administration is nothing if not resolute.

Peter Bergen, a fellow of the New America Foundation and an adjunct professor at Johns Hopkins University, is the author of *Holy War, Inc.: Inside the Secret World of Osama bin Laden.*

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The First Spoiler

Before Ralph Nader, there was Eugene McCarthy.

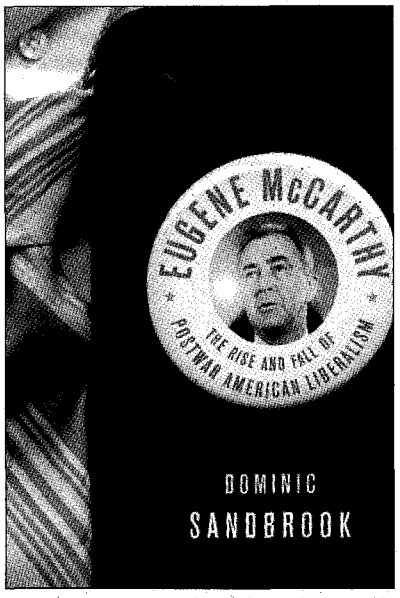
By Adam Clymer

Thirty-six years ago in March, Eugene J. McCarthy stood the political world on its head in the New Hampshire primary, earning a place in history by his willingness to take on Lyndon Johnson over the Vietnam War.

Though it did not end the war, that brave, principled candidacy remains a telling event in the history of American politics. It legitimized challenges to incumbent presidents, and its aftershocks have altered the way presidential candidates are nominated, putting that power in the hands of the political descendants of the backers of McCarthy and Robert F. Kennedy who felt that professional politicians had thwarted the will of the people of the Democratic Party by ultimately nominating Hubert H. Humphrey.

But McCarthy himself became a bad joke, only quarter-heartedly supporting Humphrey, his old mentor, in 1968 when he could have helped him win. The war probably lasted longer under Richard Nixon than it would have under a liberated Humphrey. Then McCarthy almost derailed the candidacy of Jimmy Carter in 1976 with an independent campaign that was only thwarted by New York State's wretched ballot-access laws. He also ran for president in 1972, 1988, and 1992, in the meantime endorsing Ronald Reagan in 1980 and losing a Senate primary in 1982.

But this election year, you cannot read Dominic Sandbrook's careful biography, *Eugene McCarthy: The Rise and Fall of Postwar American Liberalism*, without thinking of Ralph Nader.



Eugene McCarthy: The Rise and Fall of Postwar American Liberalism
By Dominic Sandbrook
Alfred A. Knopf. $25.95

Not so much in the years leading up to their major political moments, though Nader's own acetic personal life has a distant parallel to McCarthy's years as a Benedictine novitiate. But in the years that followed, they share a sky-scraping, grandiloquent self-importance that argues against everything they stood for before they became infatuated with the presidency, the bloviated notion that their own ideas are so perfect, so far above anyone else's, that in comparison there really is no significant difference between Democrats and Republicans. McCarthy's diffidence helped give the nation President Nixon, just as Nader's self-absorption opened the gates at 1600 Pennsylvania Avenue for George W. Bush and now bids to keep him in residence.

Sandbrook's biography is most illuminating in the early chapters, as he narrates and explains the religious faith that McCarthy drew from the Benedictines and from wide reading in Protestant theology. Social activism was a major field at St. John's College in Collegeville, Minn., where McCarthy studied, and Sandbrook lucidly explains McCarthy's sense of a Christian vocation in politics. He writes, "One of the consequences of McCarthy's Catholic education was that he retained both his suspicion of the modern secular world, and his commitment to rebuild it on explicitly Christian lines."

But in the political career that began in 1948, he hardly ever did anything to rebuild that world. He won high scores from Americans for Democratic Action, but except for a brief effort in the House to do something for imported Mexican farm laborers, his 10 years as a representative from St. Paul left only one lasting monument: He was a founder of the Democratic Study Group, an organization that pushed liberal efforts in the House until the Republican rule changes in 1995 swept it away.

"It was in the mid-1950's," Sandbrook writes, "that McCarthy's reputation as a better congressman for columnists than for the people of St. Paul began to take hold.... His contributions to House debate wittily lampooned the misfortunes of Eisenhower's cabinet of mediocrities." But, as his Senate friend Phil Hart said years later, "Out of a hundred liberals, Gene would be ninety-ninth on my list. He is not worth a damn. I'm the civil rights activist and I know these have been miserable fights. They took work. They took commitment. I never saw McCarthy from one end of

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the month to the next." Hart may not have seen McCarthy in the trenches. But reporters saw him—he was always first out of a closed hearing to the microphones outside, breezily dismissing the testimony as farce.

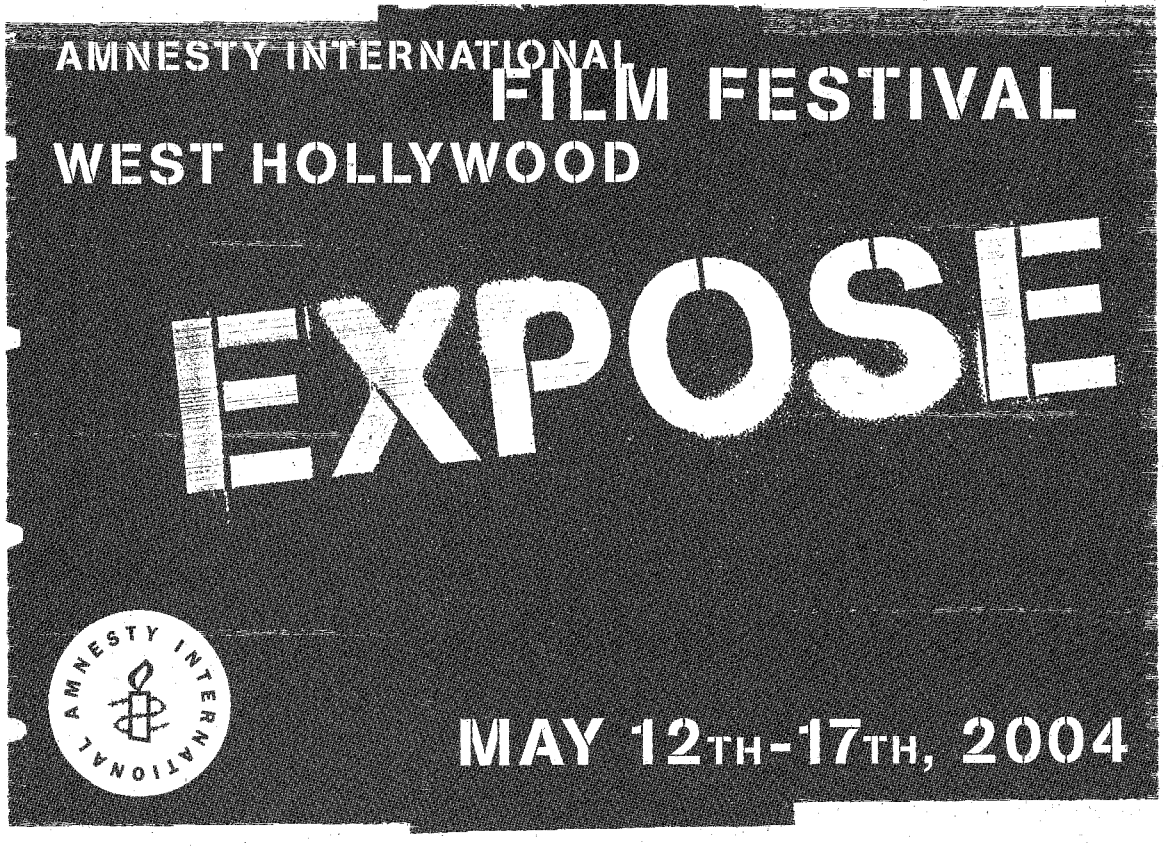
Sandbrook has a hard time with the question of whether McCarthy was lazy, which was certainly the impression held by those of us who covered him in the Senate. At one point, the author says, "The problem was not that McCarthy was lazy, because he was not lazy at all. The problem was that he cultivated the appearance of laziness, aloofness and unconcern." But in the end, Sandbrook concludes that McCarthy did not have a great impact on the nation "not because of a lack of aptitude, but because of a failure of application." He says the promise of the young McCarthy "was thrown away through a combination of misplaced pride and unrelenting jealousy" toward Humphrey, and most of all, the Kennedys.

As the author readily concedes, he sheds little new light on the 1968 campaign itself. But he does offer an intriguing explanation for the sober style McCarthy used in that campaign, something that often left anti-war supporters frustrated. Citing past writings and a 1968 radio interview, Sandbrook concludes that "McCarthy simply did not believe that aggressive, excited or declamatory rhetoric was appropriate during a period of national crisis."

The author, a lecturer in American history at the University of Sheffield, took on a difficult project—writing about events in another country that occurred before he was born but are still recent enough for many people to have a very different sense of them. Among other things, many Americans would quarrel with his sense that anti-Communist foreign policies were a matter of choice, not national necessity, or that when Democrats fought for civil rights they were seeking "mild reform" instead of deep changes in American life. Nor, for that matter, would very many people other than McCarthy have shared Sandbrook's view that polls in 1969 and 1971 demonstrated that "McCarthy had every chance of being the Democratic nominee in 1972." And not even Jimmy Carter's severest domestic critics would have sneered that he "claimed to have been 'born again.'"

Still, while he is clearly wrong on those details and probably on his choice of McCarthy as a symbol of the rise and fall of liberalism (Humphrey might have been a better choice), there is value in seeing how diligent scholars from abroad see this country. Sandbrook's sense that McCarthy and others, had they tried harder, could have changed the nation in fundamental ways is a thoughtful challenge to the conventional historical sense that they tried as hard as they could but had to compromise with, or sometimes surrender to, powerful forces of the status quo.

Adam Clymer, political director of the National Annenberg Election Survey, retired last summer as Washington correspondent for *The New York Times*.



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Waste of *Times*

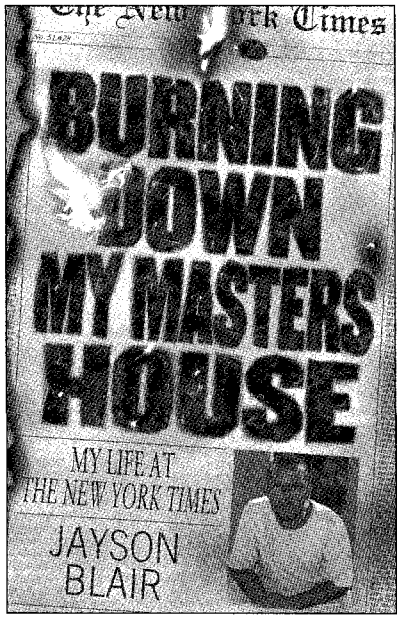
How Jayson Blair blew the chance of a lifetime.

By Stephen Pomper

At one point in his new memoir, *Burning Down My Masters' House*, disgraced *New York Times* reporter Jayson Blair reflects on his troubled final days at the paper: "I wished someone like the nun from the movie *Airplane* would walk in and slap me and tell me to get a hold of myself." If only she had, she might also have told him not to write this book. Memoir is just a bad genre for journalistic frauds like Blair and contemporary fabulist Stephen Glass, whose recent *roman à clef* about *The New Republic* was widely panned. These guys have already misled us, betrayed us, and wasted our time. Why should we sit still for another read?

Blair's answer is that his book was motivated by a higher purpose, that he wrote it "in the hope that others who are teetering on the precipice of self-destruction will pull back before it is too late." That sounds like a nice sentiment, but in practice it proves to be completely bogus. The book offers no useful guidance to the young stressed-out professional who might find himself out on a similar ledge. Instead, it throws the author a 300-page pity party, glamorizing his psychotic excesses and heaping calumnies on his former supervisors and colleagues, as if they haven't already suffered enough for his presence in their midst.

But before getting into the full wretchedness of it, let's take a step back to appreciate the big picture. In case you missed all the excitement last spring, Jayson Blair was a young black reporter whose elaborate fabrications, plagiarisms, and other misdeeds dragged *The New York Times* into a major scandal and ended the brief editorship of Howell Raines. *Burning Down My Masters' House* is Blair's effort to tell his side of the story; and to be fair, that story is neither wholly implausible nor even wholly unsympathetic. For example, it does seem likely that Blair was drawn to journalism out of idealism and was disappointed by some of the things he found at the *Times* (such as the paper's arguably distant and spotty coverage of the city's non-Yuppie population).



Burning Down My Masters' House: My Life at The New York Times
By Jayson Blair
New Millennium, $24.95

Also, it's no doubt true that Blair's bosses were often demanding (as well as unfair and even wrong) and that the *Times* newsroom was a tough place to work. And I absolutely believe that Blair was a manic depressive who managed his manias with booze and drugs, and that after he went sober those manias drove him into a fugue-like state in which he ultimately self-destructed.

But, let's face it, most of this stuff falls into the "that's life" column, and none of it remotely qualifies as an excuse for Blair's failings at the *Times* or, for that matter, in this book. Blair may not have had the easiest hand to play, but he held more than a few good cards that someone with a bit more character could have played a whole lot better. Not the least of these was a remarkably understanding employer. For all the darts that Blair hurls at the *Times*, the paper comes off as a supremely tolerant place, where Blair's minor transgressions were treated as idiosyncrasies (it became an office joke that he would steal a company car for days at a time, racking up huge parking fines) and where his major failings were treated with great humanity. When Blair owned up to substance-abuse problems, the *Times* didn't fire him: It found him counseling. When Blair's correction rate spiked, the Metro desk reduced his workload so he could concentrate on quality. And when the game was finally up and his deceptions were revealed, the paper still displayed great concern for his well-being—dispatching friends to look after him and helping to arrange a short hospitalization as a precaution against suicide. Short of pink-slipping him much earlier, which would have been a true mercy, it's hard to see what more the *Times* could be expected to have done for Jayson Blair.

But unfortunately Blair, who still seems to be operating in something of a narcissistic delirium, can't see it that way and wants very badly to assign the *Times* at least some portion of responsibility for his bad acts. Thus, he forces the reader to wade through pages of quotidian employee grievances that wouldn't rate a mention in *Dilbert*. On page 91, Blair disagrees with his editor

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about how a story should be covered. On page 106, Blair's editor makes an unreasonable demand. On page 134, Blair gets stuck with a lousy beat. On page 215, Jayson is reprimanded, perhaps unfairly. Do you get the picture?

Actually, you probably don't because—as if the tedium weren't bad enough—Blair's narrative is also mined with little chunks of spite and malice. One editor is described as having a "borderline personality." Another has all the warmth of "a petrified piece of wood." Colleagues who made the mistake of joining Blair on his drug escapades have the pleasure of reading about it in hardcover, their identities only thinly concealed. A dear friend is quoted as suggesting—with, it is implied, some hilarity—that she would like to shoot Howell Raines in front of his seven-year-old son. And Blair pointedly notes that managing editor Gerald Boyd was "raised by his grandmother after his mother died following a long struggle with drugs"—which might qualify as an especially nasty piece of personal disclosure except for the fact that it's not true. (After Blair's book came out, Boyd confirmed that his mother actually died after a long struggle with sickle-cell anemia.)

By this point you may be asking yourself, do I need this? The answer is no, nobody does. Not the reading public, not *The New York Times*, and certainly not Jayson Blair, who would be well advised to fade (really, it's time) from the public square. As for those future Jayson Blairs whom the book is supposedly trying to counsel, the media will just have to figure out better ways to nip their transgressions in the bud. Certainly the *Times* has taken a step in the right direction by engaging a public editor who, like *The Washington Post*'s ombudsman, is charged with imposing a level of internal quality control on the paper. And if that doesn't work, well, there are always other options. I personally favor Blair's *Airplane* solution. Sometimes, it would seem, you just have to call in the nun.

Stephen Pomper is a *Washington Monthly* contributing editor and a lawyer living in Washington, D.C.

Golf Balls

Fighting Lou Gehrig's Disease on the PGA Tour.

By Ron Rapoport

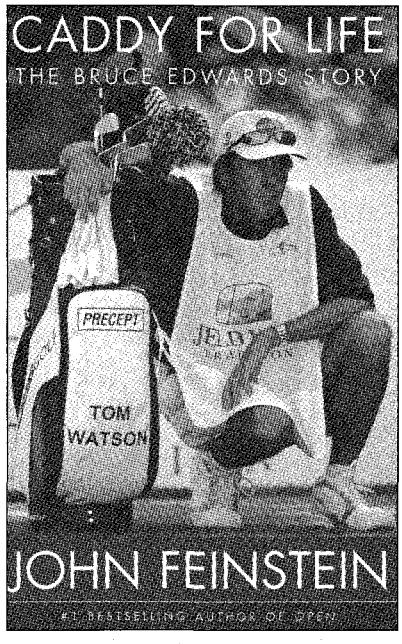
John Feinstein, who has done perhaps as much for golf writing as Arnold Palmer has for golf, puts down his driver in his latest work and delivers instead a lovely little pitch shot dead to the hole.

Feinstein chose broader themes in his earlier books on the sport: the pleasures and the pains of playing on the professional tour (*A Good Walk Spoiled*), a history of the four most important tournaments (*The Majors*), a behind-the-scenes look at the preparations for the U.S. national championship (*Open: Inside the Ropes at Bethpage Black*).

In *Caddy for Life*, Feinstein gives us nothing more ambitious or less compelling than the story of a golfer and his caddy, and of how, after more than two decades of a successful, easy going boss-employee relationship, they suddenly found themselves facing catastrophe.

The golfer is Tom Watson, who was, in the interregnum between the supremacies of Jack Nicklaus and Tiger Woods, the greatest player in the world. The caddy is Bruce Edwards, who was unknown to the public but a popular figure on the pro tour and, because of his long relationship with Watson, a giant to his peers.

Then, early last year, Edwards was diagnosed with the crippling disease ALS (Lou Gehrig's Disease), and as the word spread—and as he and Watson shared a moment at the U.S. Open that would have shamed any Hollywood scriptwriter who dared to imagine it—their roles were reversed. Before Edwards died on the first day of this year's Masters in April, Watson began carrying the load for him.



Caddy For Life: The Bruce Edwards Story
By John Feinstein
Little, Brown, and Company; $25.95

Feinstein takes his time with this and to good effect. Two-thirds of *Caddy For Life* takes place before

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Edwards gets the bad news at the Mayo Clinic. In these pages we learn why, despite the fact a caddy's life consists of long hours, menial tasks, and too many weeks when there are no bags to carry, it still exerts a tug on American boys looking to light out for the territory.

Edwards was raised in a middle-class family (his father was a dentist, his mother a dental hygienist) which did things together, joined a relatively inexpensive country club, and sent all its children to college.

All except Bruce. One weekend caddying at the Greater Hartford Open and he was hooked. Joining the tour, carrying another man's bag, enjoying the life of the open road was for him. As far as his parents were concerned, he might as well have run away and joined the circus. The concept was so foreign to them, in fact, that even many years later, after Watson's success had guaranteed Edwards great respect and a steady income, they kept expecting him to return to his senses and go to college.

It was Edwards's good fortune that he joined the tour when prize money was rising to a point where not just the winner of a tournament, but all the players finishing in the top 10 or 20, could make a decent income. A small percentage of this devolved on the caddies, the smartest of whom quickly learned how to share expenses, live cheaply, and make it to the next stop down the road.

Edwards also benefited by hooking up with Watson early in his career—they met at a tournament where Edwards appeared with no money and no bag to carry—when the young Stanford graduate was just beginning to discover that his dream of trying to make it on the pro tour was not so far-fetched after all.

Watson soon developed a large public following because of his exuberance and intelligence, as well as his brilliant and often thrilling play. His epic victory over Jack Nicklaus in the 1977 British Open at Turnberry—one of five British Opens

Despite the fact a caddy's life consists of long hours, menial tasks, and too many weeks when there are no bags to carry, it still exerts a tug on American boys looking to light out for the territory.

that he won—came after one of the great battles in the sport's history, and his chip that landed in the 17th hole at the 1982 U.S. Open at Pebble Beach to beat Nicklaus again was the stuff that dreams are made of. Watson also had a tenacity, a willingness to practice for hours after a round, that taught Edwards there was more to life than yardage markers and club selection.

For his part, Edwards developed an insight into Watson's personality and temperament, and learned when to kid his boss about his latest misadventures and when to give him a pep talk. Though they did not live the same lives—Watson was a family man and a millionaire, Edwards a bachelor living from paycheck to paycheck—the life they shared benefited them both. Theirs became one of the longest-lasting golfer-caddy relationships in modern golf.

The years passed, their lives changed. His best days behind him, Watson cut back on his schedule and Edwards went to work for Greg Norman, the charismatic Australian golfer who jetted all over the world from one tournament to another. Edwards didn't enjoy it and two years later asked Watson, who was then preparing to join the Seniors Tour, for his job back. He also married, disastrously, and Watson was part of the support group that helped him through that.

Then, just as Edwards was reunited with Marsha Moore, a woman he had met on the tour years earlier, and they began speaking of marriage, he was diagnosed with ALS, and his life was set on fast forward. The wedding was hastily arranged at a tour event in Hawaii—a Who's Who of professional golfers joining them on the beach at Kona for the ceremony—word of his illness began to spread, and he and Watson became the subject of a frenzy of media attention.

Determined to help his friend, Watson began researching ALS, using his star power to call attention to the disease and rallying his friends and colleagues for fundraisers. Then he went to the U.S. Open at Olympia Fields south of Chicago in June 2003 and did one thing more.

At the age of 53, Watson shot a 65 on the first day of the tournament to tie for the lead. Nobody his age had ever done such a thing before. And then he went into the press room, where hundreds of reporters and a national television audience were waiting, to say very little about his round and a great deal about Edwards and about ALS.

He had the bully pulpit, Watson said, and he wanted people to understand the need for more research. He also said—and these are words I never expected to hear spoken at a golf press conference—that one reason there is not enough research into ALS is too few people contract the disease to enable the large drug companies to realize a profit from a cure.

Feinstein spent much time with Edwards's family, his friends, his buddies in the caddy shack, and the PGA golfers who know him best. For the most part, though, the story comes down to Edwards and Watson and how life brought them together, first in one way, then in another.

In this writer's accomplished hands, small is beautiful.

Ron Rapoport is a sports columnist for the *Chicago Sun-Times* and a sports commentator for National Public Radio's "Weekend Edition Saturday." His book on Bobby Jones will be published by John Wiley & Sons next year.

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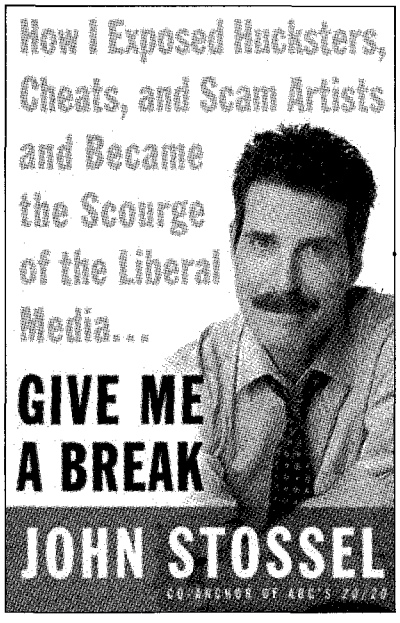
Consumer Retort

From fake wrestling to overlawyered.com.

By Stephanie Mencimer

Back in the 1970s, John Stossel was a young, enterprising reporter who specialized in exposing consumer rips-offs and scammers who preyed on housewives and the unemployed. His reporting earned him a pile of Emmys and a George Polk award. By the mid-1990s, though, after landing a choice slot on ABC's news show "20/20," he was earning the scorn of such liberal luminaries as Ralph Nader for his move away from traditional consumer reporting into the realm of government bashing and cheerleading for corporate America. *Give Me a Break* purports to answer the question: What happened to Stossel?

The story begins with Stossel's days as a local TV reporter with a stutter who conquered his speech impediment and worked his way up the ranks by pioneering the confrontational on-camera interview a la Geraldo Rivera. After years of taking down small-fry scam artists, the kind who tended to hurt mostly small-fry citizens, Stossel had an epiphany. He decided that he'd been chasing the wrong bad guys. "The more reporting I did, the more it dawned on me that government is often the problem rather than the solution," he writes. "Free markets, not coercive governments, are the consumer's best friend. The people who are really ripping us off are the lawyers, the politicians, and the regulators."



Give Me a Break: How I Exposed Hucksters, Cheats, and Scam Artists and Became the Scourge of the Liberal Media
By John Stossel

Harper Collins, $24.95

To illustrate his points, Stossel mixes in his biography with a recap of most of the stories he's done on TV over the years. Taken together, his book is a predictable catalog of all the usual conservative hobbyhorses. Global warming as fiction? Check. The Occupational Safety and Heath Administration and those pesky ergonomic regulations? See page 66. And of course, no conservative diatribe on the shelves today would be complete without the rant against taxes.

Nearly every topic Stossel tackles takes a viewpoint that has been assiduously packaged and promoted to reporters by the dozens of industry-funded think tanks that do nothing but create media-friendly narratives to highlight ridiculous regulation or to illustrate the uselessness of, say, the U.S. Department of Labor. Perhaps the TV audience that keeps Stossel on the air will find all of this as refreshing as Stossel claims they do in his fan mail. But political junkies will find much of his material far too familiar.

Take Stossel's "Taxed from morning to night" segment, in which Stossel tallies up all the taxes that construction worker Bill Thurston pays in an average day. He starts with a tax on the electricity that runs Thurston's alarm clock, the sales tax on his toothpaste, the sewer fee for his water, etc. until he gets to the "sin tax" on the beer he drinks at night. Granted, it's a pretty clever illustration. But Beltway insiders will recognize it as a spiel that GOP pollster Frank Luntz says he has been teaching to Republican members of Congress for at least a decade as a way of relating their anti-tax message to voters.

In addressing his many critics, Stossel insists that he's not a corporate shill but a "contrarian" who has been pilloried for challenging liberal anti-business orthodoxy. But his argument starts to sound pretty hollow when he tries to frame the oil giant, Exxon, as a sympathetic victim of various liberal schemes. Stossel posits that because the Americans with Disabilities Act (ADA) allows former alcoholics to sue for employment discrimination, Exxon should not

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be penalized for hiring the alcoholic captain who led the Valdez to crash in Alaska's Prince William Sound in 1989. (Captain Joseph Hazelwood had been drinking the night of the accident and had alcohol in his bloodstrean several hours afterwards but a jury found him not guilty of operating a vessel under the influence of alcohol.) Maybe because of the ADA, Stossel suggests, Exxon shouldn't have to pay the $5.2 billion punitive damage award resulting from a lawsuit over the 11 million gallon oil spill.

His conjecture isn't just flip,it's fantasy. The ADA didn't even become law until a year after the Valdez spill (signed, in fact, by a Republican president with broad bipartisan support because it would help millions of disabled people keep working rather than burdening the taxpayers). Stossel also fails to mention that one reason for the Valdez disaster was Exxon's refusal to transport its oil in double-hulled tankers, which would have prevented about 60 percent of the Valdez's oil from leaking into the sound once it crashed. Exxon had fought requirements for the double hull before the accident, and is still fighting them more than a decade later.

Today, Exxon is still sailing some of the nation's oldest, single-hulled oil tankers through the sound. Why? Because it's cheaper than buying new ships even if it's riskier to the environment. But that kind of "free market" behavior doesn't make it into Stossel's chapter on the benefits of greed and self-policing capitalism. You'd have to learn this part of the story from that bastion of liberal media, the *Anchorage Daily News*. As silly as it is, Stossel's analysis represents a PR coup for Exxon, which has spent millions to further its crusade to avoid paying the $5 billion jury award, which it's still appealing, another fact Stossel conveniently leaves out.

Stossel insists that he's not a corporate shill but a "contrarian" who is challenging liberal anti-business orthodoxy. But his argument sounds pretty hollow when he starts defending Exxon.

Another one of Stossel's favorite rants is about "junk science," which he claims lefty interest groups have used to overhype environmental threats to health or human safety. "Liberal activist groups are adept at using the media to help their case by feeding us 'studies,'" he writes. To be sure, some liberal activist groups are guilty of generating hysteria with questionable data. But Stossel doesn't mention where he gets his material. It's not too hard to figure out. In the acknowledgements to *Give Me a Break*, Stossel generously thanks Walter Olson and Peter Huber of the Manhattan Institute, a conservative, corporately funded group that has been exquisitely successful in its use of "studies" to manipulate the media.

As a fellow at the institute, Huber popularized the term "junk science" in the early 1990s, with his book, *Galileo's Revenge*. In the book, he claimed that greedy plaintiffs' lawyers were conspiring with corrupt scientists to dupe clueless jurors into hitting big corporations with multi-million dollar punitive damage awards. Stossel repeats this claim, although he adds journalists to the list of culprits. "Since reporters pay so much attention to court decisions, a lawyer who can sell junk science to a few judges and juries can get reporters to sell that junk science to the world," he writes.

In *Give Me a Break*, Stossel recounts the "20/20" segments he began doing in 1994, entitled "Are We Scaring Ourselves to Death?" He pinpoints these stories as the turning point in his transformation from liberal to libertarian, the time when he realized that Americans were focusing far too much attention on such things as environmental toxins (and by extension, the corporations responsible for them) rather than their own behavior, which is the real danger. Stossel writes, "Want to live longer? Don't smoke and don't drive recklessly. Exercise more, eat less fat, and practice safe sex. Boring. But much more likely to extend your life than cringing over the endless warnings about exploding cigarette lighters, pesticide residues, and toxic waste."

Stossel's analysis was hardly unique. Huber first popularized this theory in 1985, when he published a *Columbia Law Review* article that argued that society and the courts were overly obsessed with "public risks," to the point of absurdity. Huber argued that people would be a lot better off if they stopped fretting over the lack of air bags in cars, pollution, and environmental toxins and just started driving safer and taking responsibility for their own destructive behavior, such as smoking, drinking and eating too much. Like Huber, Stossel assumes that personal responsibility and corporate responsibility are somehow mutually exclusive, as if we can't both do the Atkins' Diet and worry about lead poisoning at the same time (a serious consideration here in Washington, given the current contamination of the city's water supply).

According to Kenneth Chesebro's devastating critique of Huber's junk science book in the *American University Law Review*, Huber provided the intellectual heft for a fledgling "tort reform" movement that was "long on lobbyists and cash but short on ideas." The Manhattan Institute hired him in 1986 as part of a public relations attack on the civil justice system in which the institute packaged Huber's ideas and aggressive-

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Stossel's book, in the end, is what you might expect from the blow-dried set of broadcast journalism—government bad, free market good. It even fails to provide a satisfying answer to its original question: What happened to John Stossel?

ly marketed them to the media. Perhaps more than any other mainstream journalist, Stossel has helped broadcast these ideas to 20 million people a week and endorsed them with the imprint of objectivity that comes with his place on a traditional network news program.

Give us a break

In *Give Me a Break*, Stossel recalls his early days in journalism when he would actually investigate a story, and how sometimes a tip wouldn't pan out. Like the time he read a newspaper article that said local vets were billing people for treating nonexistent diseases in their pets. Stossel had his assistant take his cat to 17 different vets to see what happened. No one overcharged him, end of story. Today, though, his book and his news specials seem to be the same old rehash of conservative think-tank reports you might find on FOX News. While he criticizes his fellow journalists for being all too accepting of liberal interest groups claims, he doesn't appear to apply his own critical journalistic skills displayed in his vet investigation to causes with which he is sympathetic.

A tireless lawyer basher, Stossel has become a prominent spokesman for the "tort reform" movement, which with funding from companies like Exxon, has been working for 15 years to limit Americans' ability to hold corporations accountable in court. (The Manhattan Institute's Walter Olson, who runs the Web site overlawyered.com and whom Stossel credits in his book, is at the forefront of this movement.)

Like many such advocates, Stossel suggests that most personal injury and discrimination lawsuits are frivolous, except the ones filed by him (and even that one he notes in retrospect might have been out of line). In 1984, Stossel confronted Dave Schultz, aka "Dr. D," a 6'8," 280-pound professional wrestler on camera, telling him he thought wrestling was fake. Schultz boxed him in the ear, shouting, "You think it's fake?" Stossel sued Shultz and received a $425,000 settlement for his pain and suffering. To his credit, he discloses the suit at the very end of the book—just barely—saying that, "I cringe to admit I sued the World Wrestling Federation. I don't like it when people respond to every injury with a lawsuit."

Nonetheless, Stossel devotes much of his book to detailing the evils of the legal system and the greedy plaintiffs looking to make an easy buck off corporate America. He claims lawsuits have taken jobs out of the economy and added "$500 to the price of a car and $3,000 to every pacemaker." Lawsuits are so out of control, he insists, that "some parents are afraid to coach Little League" out of fear of being sued.

But if Little League coaches are afraid of getting sued, it might be because they've been watching too much "20/20." In fact, Stossel could do a whole episode of "Scaring Ourselves to Death" that compared Americans' outsized fear of lawsuits to reality. The types of suits Stossel complains about have been drying up over the past decade, falling as much as 45 percent even in liberal states like California, according to the National Center for State Courts. As for the Little League coaches, in 1997, Congress passed a law immuniz-

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ing volunteers, including those Little League coaches, from the lawsuits he says they're so scared of.

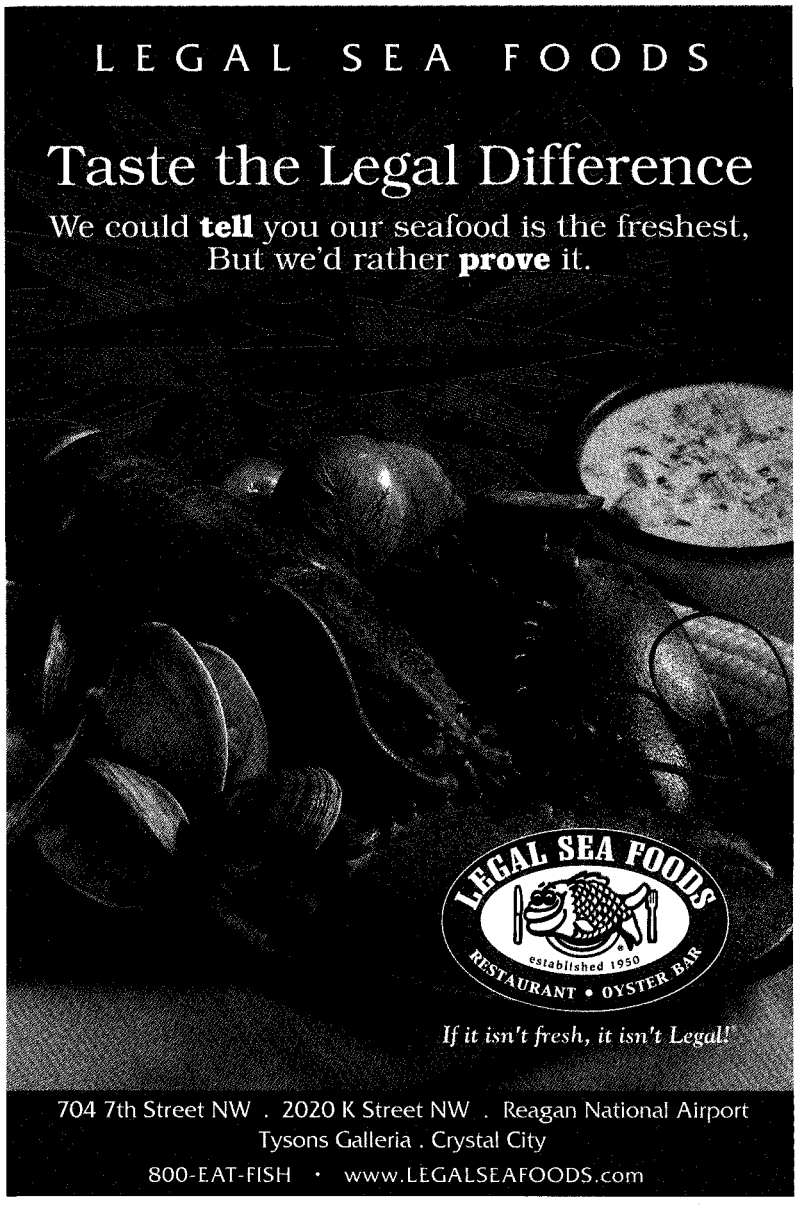
Stossel's attacks on lawyers and "frivolous lawsuits" go beyond journalism and verge into the arena of advocacy. This might not be a big problem except that ABC and "20/20" position him as a mainstream reporter. Viewers are led to believe that his reporting adheres to the journalistic standards of objectivity and balance. Yet while Stossel is on-air bashing lawyers and the legal system, he frequently hosts fundraising events for corporate groups actively lobbying for restrictions on Americans' rights to sue. In February, for instance, as the Oklahoma State legislature was considering a bill to put limits on lawsuits, Stossel was the keynote speaker at a lunch sponsored by an Oklahoma City business group backing the legislation. In April 2002, Stossel hosted a fundraiser in south Texas for Citizens Against Lawsuit Abuse, a corporate front group that was helping doctors seeking caps on malpractice lawsuit damages.

A *Washington Post* reporter who actively campaigned for a liberal law that he was covering in the paper would be fired immediately. But in his book, Stossel dismisses all the criticism of his activism out of hand with charges of bias, censorship, and the usual conservative persecution complex.

With so many conservative political books in the stores today, a tome like this makes a reader hunger for substance, an argument—even a conservative one—backed up with vigorous reporting that can withstand more than a reviewer's quick scrutiny. There are, after all, serious critiques to be made of the legal system or of government regulations. Plenty of academics and other thinkers have done just that. But in a book that purports to detail an "intellectual" journey, Stossel never interviews any of those people, who also don't appear on any of his broadcasts. Finding other sources outside the agenda-driven think-tank industry would require work, and doing so would take the edge off his stories, make them more nuanced and harder to sound byte. They would, perhaps, lend some genuine insight into the public-policy debate that Stossel so clearly wants to influence.

His book, in the end, is what you might expect from the blow-dried set of broadcast journalism: nothing that can't be summed up in 30 seconds or less—government bad, free market good. It even fails to provide a satisfying answer to its original question: What happened to John Stossel? While he doesn't include it in the book, Stossel did once offer the real explanation. In what was perhaps a moment of candor back in 1996, when he was giving a speech to the conservative legal group, the Federalist Society, someone asked Stossel why he had abandoned consumer reporting to bash government and trial lawyers. According to the *Corporate Crime Reporter*, Stossel replied, "I got sick of it. I also now make so much money I just lost interest in saving a buck on a can of peas."

Stephanie Mencimer is a contributing editor of *The Washington Monthly.* Her article, "Malpractice Makes Perfect," from the October 2003 issue of the *Monthly* has been nominated for a National Magazine Award in the "Public Interest" category.



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MEANWHILE in AMERICA

by Joe Sacco ©2004

I think George W. Bush is one of the most effective leaders these United States have ever had.

What els can you s about a man whos knowledge the Middle East would not fill an inverted contact lens yet whose simpleton chutzpah seems to have impressed the majority of Congress and the citizenry into following him into a dubious war there?

Frankly, I find all this hand-wringing about the inaccuracies of the intelligence about Iraq's ready-to-launch Weapons of Mass Destruction disingenuous. The way I remember it, we seemed to be going to war by hook or by crook which, to the rest of the world, made all that "intel" suspect to begin with.

NO NO! THAT'S FROM THE SUMERIAN PERIOD.

THOUGH YOU'VE GOT TO WONDER WHY IT WAS HIDDEN WITH ALL THOSE CLAY SHARDS.

Even my politically-down-the-middle pa Tony, jolted by former Treasury Secret Paul O'Neill's contention that Bush's administration was pushing for war n matter what, wants some answers.

I CAN'T SEE HOW BUSH CAN KEEP HIDING FROM THIS...

But is Tony's unease widespread? Will concerns that the administration manipulated "evidence" in its drive toward war register with voters in November?

DO THE ENDS-WHICH DON'T SEEM TO BE CLEAR-JUSTIFY THE MEANS?

IT'S THE ECONOMY, STUPID.

ALL I KNOW IS I FEEL SAFER.

WE SHALL FIGHT ON THE BEACHES...

I never liked Clinton. When he lied, he brough shame upon himself and embarrassment to t people who stood by him. But he lied abou a couple of blow jobs.

BLOW JOBS?

!

But war is the most serious relationship peoples enter into, with lakes of bodily fluid spilt—not just a few stains on a blue dres

J. SACC

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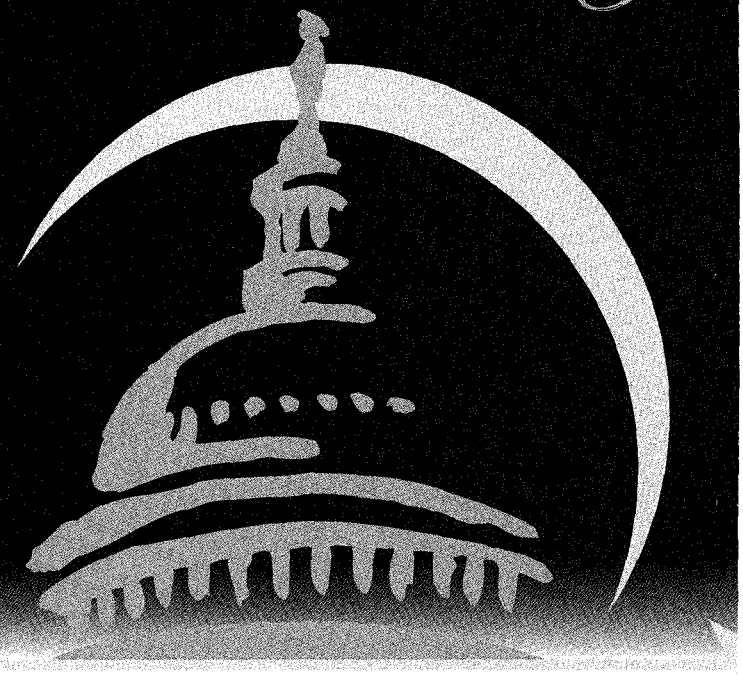

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